

Part B State Annual Performance Report (APR) for FFY 2006**Overview of the Annual Performance Report Development:**

The South Dakota Part B State Performance Plan obtained broad stakeholder involvement throughout the process. This included:

- The SPP/APR stakeholder workgroup met throughout the year to review, revise, and develop baseline and activities for new indicators for State Performance Plan and the Annual Performance Report to be presented to the Governor's Advisory Panel for Children with Disabilities for their input. This work group consisted of people representing Special Education Programs personnel, higher education, local special education directors, local special education teachers, education cooperatives, education service agencies, Transition Services Liaison Project staff, parent representation, South Dakota Association of School Psychologists, the Council of Administrators of Special Education, South Dakota Advocacy, Birth to 3 Connections, education specialists, and Children's Care Hospital and School. The specific tasks requested of work group members were:
 - Review baseline and trend data for each indicator where such information was available;
 - Assist in revising or determining appropriate targets for each indicator where a target was required for the State Performance Plan;
 - Review the planned activities, timelines, and resources and provide input into the likely efficacy of the strategies proposed;
 - Suggest additional approaches for the Special Education Programs to consider including in the planned activities.
 - Review 2006-2007 baseline data for new indicators and develop targets and activities for new indicators.
- In addition to the stakeholder work group, the SPP was submitted to our broad stakeholder group, the Governor's Advisory Panel for Children with Disabilities for their input, comments, and changes in January, 2008. The Governor's Advisory Panel for Children with Disabilities is made up of parents of children with disabilities, individuals with disabilities, teachers, a representative from higher education, representatives from other state agencies, administrators, state and local officials, a representative dealing with transitional needs, and a representative from juvenile and adult corrections. A majority of the members are individuals with disabilities or parents of children with disabilities.
- Along with stakeholder input, Special Education Programs personnel have continually participated in OSEP and Mountain Plains Regional Resource Center's (MPRRC) conference calls to gain more knowledge about the SPP/APR process and indicators. MPRRC has continued to assist Special Education Programs through calls and emails with this process. Special Education Programs staff plans to attend national and regional conferences on topics dealing with the State Performance Plan indicators in the future.
- To ensure statistically sound data, a minimum number (N) will be applied where appropriate. The necessity of applying a statistical analysis and a minimum N to certain target indicators was due to exceptionally small numbers in our state. A minimum number large enough to provide both valid and reliable target determinations will be set

for certain target indicators. South Dakota will be utilizing a minimum N to help ensure confidentiality of students in South Dakota public schools as well as to ensure statistically sound data. For all NCLB data South Dakota uses a minimum N of 10. Special Education Programs will follow South Dakota NCLB protocol.

- Following the submission of the State Performance Plan and Annual Performance Report to the U.S. Department of Education, Special Education Programs will disseminate the State Performance Plan, Annual Progress Report (APR), and Local Education Agency (LEA) information in the following ways:
 - Post the final version and State Performance Plan, Annual Progress Report, LEA information and 618 tables on the agency website at <http://doe.sd.gov/oess/specialed/SPP/index.asp>
 - Alert constituency groups via existing list serves, email and workshops.
 - Regional presentations throughout the state in February and March.
 - South Dakota Parent Connection will announce publication of the Part B State Performance Plan on the Special Education Programs website in the newsletter "The Circuit" so parents know how to access it.
 - Hard copies will be provided to all Advisory Panel members
 - Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the

South Dakota Department of Education
Attn: Special Education Programs
700 Governor's Drive
Pierre, SD 57501
- Hard copies will also be made available for public review at Department of Education, Special Education Program office. Public notice about the availability of the State Performance Plan, APR, and LEA information reporting will be made in a press release to major South Dakota newspapers.
- Special Education Programs will be publicly reporting at the district level on the required indicators no later than March 15, 2008. Public reporting information on the State 618 data tables will also be available. Access of this information can be found on the Office of Educational Services and Support, Special Education Programs website at the following link: <http://doe.sd.gov/oess/specialed/SPP/index.asp>

Information discussed throughout the APR:

The South Dakota Department of Education (SDDOE) has been working on goals dealing with Governor Rounds 2010 Education Initiative announced fall of 2005. The 2010 Education Initiative is a series of specific goals and action plans intended to improve the state's education system by the year 2010. Once the vision of 2010E is fully realized, South Dakota will have an education system that is second to none in America - brimming with opportunity and innovative thinking. Special Education Programs feels the 2010 Education Initiative incorporates many of the goals, objectives, and strategies that are found throughout the State Performance Plan. Special Education Programs will explain the implementation of the goals that pertain to the SPP throughout the APR, with which the entire SDDOE is working toward.

Goals in 2010 Education Initiative are:

Goal 1: By 2010, all third grade students will be proficient- or on a plan to become proficient- in reading and math. This goal will contribute to meeting the targets for Indicators 3, 5, 6, and 7.

Goal 2: By 2010, South Dakota will be first in the nation for the percentage of students going on to college, technical school or advanced training. This goal will contribute to meeting the targets for Indicators 1, 2, 13, and 14.

Goal 3: By 2010, the postsecondary education system will fully meet the needs of the state's changing economy and its citizens. This goal will contribute to meeting the targets for Indicator 14.

Goal 4: By 2010, South Dakota will build its educator base through targeted recruitment, retention and training. This goal will contribute to meeting the targets for Indicators 3, 5, 6, 9, 10, and 11.

Goal 5: By 2010, South Dakota will increase educational outcomes for Native American students. This goal will contribute to meeting the targets for indicators 1 through 14.

Goal 6: By 2010, South Dakota will target financial resources to improve classroom instruction and educational opportunities. This goal will contribute to meeting the targets for all indicators.

Part B State Annual Performance Report (APR) for FFY 2006
Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

(Definitions and calculations recorded in the South Dakota State Performance Plan at <http://doe.sd.gov/oess/specialed/SPP/index.asp>) The formula used is the formula from the state's NCLB accountability workbook.

FFY	Measurable and Rigorous Target
2006-2007	81% of youth with Individual Education Plans will graduate from high school with a regular diploma.

Actual Target Data for FFY 2006:

Target was not met by South Dakota

Based on the formula below, South Dakota calculates 79.43% of youth with Individual Education Plans graduated from high school with a regular diploma in 2006-2007.

In 2006-2007 school year, 583 students with disabilities graduated with a high school diploma. In this cohort, 151 students with disabilities dropped out and did not return to school.

$$583/(583+151)=.7943 \quad .7943 \times 100 = 79.43\% \text{ IEP youth graduation rate}$$

South Dakota's NCLB Graduation Rate Calculation

$$\frac{\text{High School Completers in Year 4}}{\text{Dropouts (Gr 9, year 1 + Gr 10, year 2 + Gr 11, year 3 + Gr 12, year 4) + HS Completers, Year 4}}$$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:**Explanation of Slippage for 2006-2007:**

Slippage occurred from FFY 2005 from 82.6% to 79.4% in FFY 2006. Slippage of 1.5% was also seen in the all youth graduation rate from FFY 2005 to FFY 2006. In the baseline data, South Dakota explained in FFY 2005 the graduation rate calculation would now include the 9th grade class. South Dakota expected a slippage in FFY 2005 unfortunately the slippage occurred in FFY 2006.

As Figure 1-1 indicates, 27% of the students who dropped did in fact return to school either in the LEA they dropped out of or a new LEA. South Dakota's increase of students dropping out appears in the 10th grade year due to South Dakota law which requires students to attend school until age 16. 12th grade year shows an increase in dropouts due to the fact that those students are not counted back in the calculation for returning to school after their class graduated in the spring of 2007.

Figure 1-1

Cohort Grades for FFY 2006 Class	12th grade	11th grade	10th grade	9th grade
Number of drops per grade	56	57	63	32
Number drops returned to school		21	26	10
Number dropped out but did not return	56	36	37	22

Slippage Points:

1. Since the new calculation has only been in operation for two years, there would be an expectation to see slight increase and decrease of the data.
2. In South Dakota's accountability manual for NCLB, the current graduation target for all students is at 80%. At this point, South Dakota's expectations, for students with disabilities graduating with a regular high school diploma, are higher than all students.
3. South Dakota Department of Education Data Collection and Special Education Programs have been training districts in 2006-2007 on encoding students into the Student Information Management System (SIMS) in order to ensure more valid and reliable data. This may have contributed to the change in numbers.
4. South Dakota 2007 legislature passed South Dakota Codified Law (SDCL) 13-27-1 that will require students to stay in school until age 18. The law will go into effect July 1, 2010. Although it does not impact the current SPP targets directly, districts may be moving more toward more dropout prevention strategies.

5. In South Dakota, graduation and diploma decisions are made at the district level. In response to district concerns about a new state requirement that all graduates must complete Algebra I, the state issued a graduation guide, which may have led some districts to issue alternative certificates to some students who struggle meeting the algebra requirement.

Finishing Strong

Goal 2: By 2010, South Dakota will be first in the nation for the percentage of students going on to college, technical school or advanced training.

Objective 2A: Graduate 95 percent of high school students.

Initiatives:

- a. Require compulsory attendance to age 18
- b. Implement personal learning plans for students
- c. Create senior project models
- d. Implement internship programs
- e. Increase use of advanced placement/dual credit courses
- f. Create a state scholars program that connects schools to businesses

Discussion of Improvement Activities Completed for 2006-2007:

Special Education Programs and the SPP/APR stakeholder group evaluated each of the following activities below:

Activity	Timeline	Completion and Evaluation
Provide technical assistance to districts shown with the lowest 5% of graduating students through coordinated set of transition activities.	Spring 2007 and ongoing	Transition Services Liaison Project staff has worked with districts on coordinated set of activities and will continue to target the districts that show the lowest rates. Ongoing
Provide graduation and post-secondary planning activities for at risk middle school special education students.	Fall 2006 and ongoing through 2011	Transition Services Liaison Project staff have presented information through Council for Exceptional Children, Teacher Leadership, Summer Institute, etc... on graduation and post-secondary information to people who work with at

APR Template – Part B (4)

__South Dakota__
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		<p>risk students.</p> <p>Ongoing</p>
Develop collaboration between high schools and post secondary schools to help special education students prepare for post secondary education through "Catch the Wave" conference.	Spring 2006 and annually through 2011	<p>Catch the Wave Conference has steadily increased over the 7 years it has been implemented. In 2007, four regional sites had 267 students and 111 staff and parents involved. Due to the increase in participants at the regional sites, an additional "Catch the Wave" conference was established for Spring of 2007.</p> <p>Ongoing</p>
Promote work experience through "Project Skills" program for HS special education students.	2005-2011	<p>Project Skills has seen an increase in the number of districts participating from 37 in 2004-2005 to 46 in the 2006-2007 school year.</p> <p>Ongoing</p>
Provide career leadership training through the Youth Leadership Forum (YLF) for special education high school juniors and seniors to serve as delegates from their communities.	Summer 2006 and annually through 2011	<p>YLF numbers are based on the number of students selected to attend. We usually get between 40 and 60 applications each year and select approximately 36 to attend through an application and interview process. In 2007 year, we received 53 applications. Over 300 students have participated in the YLF conference since implementation.</p> <p>Ongoing</p>
Provide a "Summer Teacher Institute" annually. The institute is an in-depth transition to adulthood training designed specifically for high school special education teachers. The institute is held in conjunction with YLF to share speakers and panel discussion topics. The participants also learn about transition assessment, self	June 2006 and annually through 2011	<p>Summer Teacher Institute has steadily increased number of participants over the past 4 years. In 2007, 45 secondary special education teachers and directors, agency personnel, and Educational Cooperative Representatives participated.</p> <p>Ongoing</p>

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advocacy, transition process, service providers, etc...		
Identified the districts that met or exceeded the state's target and the districts that did not meet the target.	April 2007 and annually through 2011	<p>Special Education Programs required districts to complete a Performance Indicator Improvement Plan (PIP) if the LEA did not meet the state's target for dropout rate. LEAs had to explain the strategies they would use to decrease dropout rates. These plans are reviewed and approved by SEP.</p> <p>School reform is being implemented in South Dakota, primarily with the High Schools That Work and Middle Schools That Work frameworks.</p> <p>Ongoing</p>
Seek technical assistance from the National Dropout Prevention Center for Students with Disabilities (NDPC-SD) to develop technical assistance materials relevant to the students with disabilities populations and disseminate to local districts.	2006-2011	<p>Accessing Technical Assistance from the National Dropout Prevention Center:</p> <p>SD Staff participate in NDPC-SD conference calls / web seminars, subscribe to NDPC-SD Newsletter – “Big Ideas”, and shares information from the NDPC web site with district personnel. SD staff have utilized the expertise of Dr. Loujenia Bost at The Connecting the Indicators training in Denver and at The State Planning Institute in Charlotte. Dr. Matthew Klare has provided the state with materials, and was invited to present in South Dakota, but was unable to do so due to the number of other states that he is helping. South Dakota plans to apply for a Transition Capacity Building Grant this spring to better access the services of NDPC-SD.</p> <p>TSLP Staff presented on “The 15 Effective Strategies” (from NDPC) at the State CEC Conference in March 2007.</p> <p>Ongoing</p>

<ul style="list-style-type: none"> Provide training on new graduation requirements and expectations for parents, staff and students concerning what course work is required in order for students with disabilities to graduate with a regular diploma. (Emphasize at the IEP meeting.) 	October 2007 and on-going	Graduation Technical Assistance Guide was developed and presented at conferences throughout the state.
<ul style="list-style-type: none"> Technical Assistance and training on: <ul style="list-style-type: none"> Direct Instruction Positive Behavior Intervention Supports 	Winter of 2007 and annually through 2011	Technical assistance was provided at PBIS trainings held in Fall of 2007.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

Discussion of Revision of Improvement Activity with Justification:

The SPP/APR stakeholder workgroup identified the following improvement activities as needing revision. The State Performance Plan has been updated to reflect the changes.

Activities	Revisions and justifications
Evaluate what effective programs promote graduation and create a menu for districts to use that would be beneficial to their demographics.	Special Education Programs has collected and disaggregated trend data on districts. SEP will begin collecting information on strategies districts use to maintain low dropout rates spring 2008 and ongoing.
Disaggregate state level data by disability category, ethnicity, and geographic regions to identify trends in data to inform improvement activities.	The stakeholder group realized that this activity needed to be moved to the fall of 2007 because of when the data is collected.

Part B State Annual Performance Report (APR) for FFY 2006
Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

(Definitions and calculations recorded in the South Dakota State Performance Plan at <http://doe.sd.gov/oess/specialed/SPP/index.asp>)

FFY	Measurable and Rigorous Target
2006-2007	4.80% of students of disabilities are dropping out of high school.

Actual Target Data for FFY 2006:

Target was met by South Dakota.

Calculation:

The data for computing special education dropout rate is gathered through an analysis of accumulated special education enrollment for grades 9-12 divided by the accumulated special education enrollment for grades 9-12 plus total special education drop outs reported for grades 9-12. Then the number derived is deducted from 100 percent to get the percent of special education dropouts for current year. Accumulated enrollment for special education included any students who were on an IEP during the school year.

Special Education Youth Dropout rate:

$$N = 4262 / (4262 + 181) = .9605$$

$$.9605 \times 100 = 96.05\%$$

$$100\% - 96.05\% = 3.95\%$$

2006-2007 state data showed that 4267 students with disabilities in grades 9-12 were enrolled in South Dakota and 181 students with disabilities dropped out of school during the

2006-2007 school year. Based on the above calculations, the percentage of high school students with disabilities that dropped out is 4.07%. South Dakota met the FFY 2006 4.80% target.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:

Explanation of Slippage for 2006-2007:

Although South Dakota did meet the target for FFY 2006, there was .2 percent slippage from FFY 2005. The dropout rate increased from 3.9% in FFY 2005 to 4.07% in FFY 2006. According to Figure 2-1 below, South Dakota's special education enrollment numbers for grades 9-12 showed a decrease of 106 students and an increase in student dropouts of 14 students since the 2005-2006 school year.

Figure 2 -1: Number and percentage of students included in dropout rate.

	Number Students 9-12 Enrolled	Number of dropouts	Percentage of dropouts
2005-2006	4374	176	3.9%
2006-2007	4267	181	4.07%
Difference	-107	+5	.1%

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Goal 2: By 2010, South Dakota will be first in the nation for the percentage of students going on to college, technical school or advanced training.

Objective 2A: Graduate 95 percent of high school students.

Initiatives:

- a. Require compulsory attendance to age 18
- b. Implement personal learning plans for students
- c. Create senior project models
- d. Implement internship programs
- e. Increase use of advanced placement/dual credit courses
- f. Create a state scholars program that connects schools to businesses

Discussion of Improvement Activities Completed for 2006-2007:

Special Education Programs and the SPP/APR stakeholder group also attribute the completion of the following activities which assisted the state in meeting the target:

Activity	Timeline	Completion and Evaluation
Provide career planning activities for at risk middle school special education students.	Fall 2006 and ongoing through 2011	Transition Services Liaison Project staff have presented information through Council for Exceptional Children, Teacher Leadership and the Summer Institute on graduation, career planning and post-secondary information to people who work with at risk students. Ongoing
Identify all districts that did not meet the state target for graduation. Provide technical assistance to districts shown with the lowest 5% of graduating students through coordinated set of transition activities.	Spring 2007 and ongoing	Transition Services Liaison Project staff has worked with districts on coordinated set of activities and will continue to target the districts that show the lowest rates. Ongoing
Develop collaboration between high schools and post secondary schools to help special education students prepare for post secondary education through "Catch the Wave" conference.	Spring 2006 and annually through 2011	Catch the Wave Conference has steadily increased over the 7 years it has been implemented. In 2007, three regional sites had 267 students and 111 staff and parents involved. Due to the increase in participants at the regional sites, an additional "Catch the Wave" conference was established for Spring of 2007. Ongoing
Promote work experience through "Project Skills" program for HS special education students.	2005-2011	Project Skills has seen an increase in the number of districts participating from 37 in 2004-2005 to 46 in the 2006-2007 school year. Ongoing

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__South Dakota__
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Provide career leadership training through the Youth Leadership Forum (YLF) for special education high school juniors and seniors to serve as delegates from their communities.	Summer 2006 and annually through 2011	YLF numbers are based on the number of students selected to attend. We usually get between 40 and 60 applications each year and select approximately 36 to attend through an application and interview process. In 2007 year, we received 53 applications. Over 300 students have participated in the YLF conference since implementation. Ongoing
Provide a “Summer Teacher Institute” annually. The institute is an in-depth transition to adulthood training designed specifically for high school special education teachers. The institute is held in conjunction with YLF to share speakers and panel discussion topics. The participants also learn about transition assessment, self advocacy, transition process, service providers, etc...	June 2006 and annually through 2011	Summer Teacher Institute has steadily increased number of participants over the past 4 years. In 2007, 45 secondary special education teachers and directors, agency personnel, and Educational Cooperative Representatives participated. Ongoing
Identified the districts that met or exceed the state’s target and the districts that did not meet the target.	April 2007 and annually through 2011	Special Education Programs required districts to complete a Performance Indicator Improvement Plan (PIP) if the LEA did not meet the state’s target for dropout rate. The LEA had to explain the strategies they would use to decrease dropout rates. Ongoing
Strategies to increase graduation rates and decrease drop out rates will be created and training implemented for students, parents, and teachers.	Spring 2007 and annually through 2011	TSLP Staff presented on “The 15 Effective Strategies” (from NDPC) at the State CEC Conference in March 2007. This conference is open to teachers, administrators, related service providers, and parents. Ongoing

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:**Discussion of Revision of Improvement Activity with Justification:**

Special Education Programs and the SPP/APR stakeholder workgroup decided on the following revisions to improvement activities listed below.

Activities	Timeline	Revisions and Justifications
Evaluate what effective programs promote graduation and create a menu for districts to use that would be beneficial to their demographics.	Spring 2008 and ongoing.	Special Education Programs has collected and disaggregated trend data on districts. SEP will begin collecting information on strategies districts use to maintain low dropout rates spring 2008 and ongoing.
Disaggregate state level data by disability category, ethnicity, and geographic regions to identify trends in data to inform improvement activities.	Fall 2007 and ongoing	The stakeholder group realized that this activity needed to be moved to the fall of 2007 because of when the data is collected.
<ul style="list-style-type: none"> Set up a data base to be used by districts when entering student exit information. 	Spring 2006	Special Education Programs staff and Bureau of Information & Telecommunications (BIT) created a secure website to enter data.
<ul style="list-style-type: none"> Technical Assistance and training on: <ul style="list-style-type: none"> Direct Instruction Positive Behavior Intervention Supports 	Winter of 2007 and annually through 2011	Technical assistance was provided at PBIS trainings.

Part B State Annual Performance Report (APR) for FFY 2006
Overview of the Annual Performance Report Development: See page 1

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with disabilities on statewide assessments:

- A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

- A. Percent = $\left[\frac{\text{\# of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size in the State)}} \right] \text{ times } 100$.
- B. Participation rate =
 - a. # of children with IEPs in assessed grades;
 - b. # of children with IEPs in regular assessment with no accommodations (percent = $\left[\frac{\text{(b)}}{\text{(a)}} \right] \text{ times } 100$);
 - c. # of children with IEPs in regular assessment with accommodations (percent = $\left[\frac{\text{(c)}}{\text{(a)}} \right] \text{ times } 100$);
 - d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = $\left[\frac{\text{(d)}}{\text{(a)}} \right] \text{ times } 100$); and
 - e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = $\left[\frac{\text{(e)}}{\text{(a)}} \right] \text{ times } 100$).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = $\left[\frac{\text{(b + c + d + e)}}{\text{(a)}} \right]$.

- C. Proficiency rate =
 - a. # of children with IEPs in assessed grades;
 - b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent = $\left[\frac{\text{(b)}}{\text{(a)}} \right] \text{ times } 100$);
 - c. # of children with IEPs in assessed grades who are proficient or above as

- measured by the regular assessment with accommodations (percent = [(c) divided by (a)] times 100);
- d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100); and
 - e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = [(e) divided by (a)] times 100).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = [(b + c + d + e) divided by (a)].

FFY	Measurable and Rigorous Target			
(2006)	Measurable and Rigorous Target			
	Indicators		Reading	Math
	A. Districts meeting AYP in disability subgroup		96%	96%
	B. Participation rate for students with disabilities		98.2%	98.4%
	C. Proficiency rate for students with disabilities	K-8	82%	65%
9-12		72%	54%	

Actual Target Data for (2006):

Target A: Target was met by South Dakota.

Target B: Target was met by South Dakota.

Target C: Target was not met by South Dakota.

B. Actual Target Data for Participation Rate for 2006-2007:**Reading 2006-2007 Target was 99.43%**

	Children with IEPs in regular assessment without accommodations	Children with IEPs in regular assessment with accommodations	Children with IEPs in Alternate Assessment against Grade Level Standards	Children with IEPs in Alternate Assessment against Alternate Standards	Children not assessed due to Absence	Total Children with IEPs Assessed	Total Children with IEPs	Percent of students with IEPs Assessed
2006-2007 Reading								
Grade 3	690	671	NA	77	10	1438	1448	99.31%
Grade 4	521	712	NA	76	2	1309	1311	99.85%
Grade 5	381	714	NA	87	8	1182	1190	99.33%
Grade 6	318	654	NA	81	6	1053	1059	99.43%
Grade 7	282	657	NA	93	3	1032	1035	99.71%
Grade 8	278	707	NA	79	4	1064	1068	99.63%
Grade 11	258	386	NA	70	12	714	726	98.35%
Total All Grades Assessed	2728	4501	NA	563	45	7792	7837	99.43%

Math 2006-2007 Target was 99.54%

	Children with IEPs in regular assessment without accommodations	Children with IEPs in regular assessment with accommodations	Children with IEPs in Alternate Assessment against Grade Level Standards	Children with IEPs in Alternate Assessment against Alternate Standards	Children not assessed due to Absence	Total Children with IEPs Assessed	Total Children with IEPs	Percent of students with IEPs Assessed
2006-2007 Math								
Grade 3	690	671	NA	77	10	1438	1448	99.31%
Grade 4	521	712	NA	76	2	1309	1311	99.85%
Grade 5	382	718	NA	87	3	1187	1190	99.75%
Grade 6	318	658	NA	81	2	1057	1059	99.81%
Grade 7	282	657	NA	93	3	1032	1035	99.71%
Grade 8	278	707	NA	79	4	1064	1068	99.63%
Grade 11	258	386	NA	70	12	714	726	98.35%
Total All Grades Assessed	2729	4509	NA	563	36	7801	7837	99.54%

C. Actual Target Data for Proficiency Rate for 2006-2007:

2006-2007	Reading			Math		
	K-8	9-12	Combined Total	K-8	9-12	Combined Total
Special Ed. Students Proficient on Regular Assessment without Accommodations	1824	67	1891	1530	47	1577
Special Ed. Students Proficient on Regular Assessment with Accommodations	1838	42	1880	1198	30	1228
Special Ed. Students Proficient on Alternate against grade level	NA	NA	NA	NA	NA	NA
Special Ed. Students Proficient on Alternate against alternate	320	38	358	257	35	292
Total Number of Special Ed. Students Proficient	3982	147	4129	2985	112	3097
Total Number of Special Ed. Students	7111	726	7837	7111	726	7837
Percent of Special Ed. Students Proficient	56%	20.25%	52.69%	41.98%	15.43%	39.52%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:**Explanation of Progress and Slippage that occurred for 2006-2007****Part A: Districts making AYP explanation of progress**

South Dakota continues to make progress with Districts making AYP in the disability subgroup. South Dakota's State Improvement Grant, Project Enrich, works closely with districts on ways to improve Adequate Yearly Progress of students with disabilities in the areas of reading and math as one of the project's goals. South Dakota has chosen a small N size of 10 for NCLB in order to include more districts in the accountability process. All subgroups have the same N size of 10.

Part B: Participation Rate explanation of progress

South Dakota continues to maintain a high participation rate for students with disabilities. South Dakota has firm expectations that districts test all students, even students with disabilities.

South Dakota Department of Education does not allow exemptions from testing unless under extreme circumstances such as significant medical emergencies and districts are required to have documentation. Because of this policy, districts work very hard to make sure all students are tested within the testing window.

Part C: Proficiency Rate explanation of slippage**Slippage related to students with Significant Cognitive Disabilities:**

South Dakota takes great care to ensure students are appropriately identified as eligible to take the alternate assessment. As a state, the one percent cap of the students meeting proficiency who take the alternate assessment has not been reached. By not fully utilizing the 1% cap, the percent of all special education students meeting proficiency does not benefit fully from that flexibility. South Dakota expects that over the years as students are exposed to and participate in grade level content that proficiency rates for students with significant cognitive disabilities will increase.

Reading:

South Dakota is seeing an increase in reading performance in the elementary grades partly due to the Reading First program. The program was initially implemented four years ago with 9 districts. Now two more districts have entered the program and are on their second year of implementation. Reading First program targets grades K-3. All students participate in the Reading First program even special education students. Districts that have implemented the Reading First program have increased percentage of students in proficient and advanced range over the 4 years of implementation. In 2007, there were no students in grade 3 of the Reading First districts that were below basic in the reading portion of the South Dakota statewide test, Dakota STEP. The high school cohort of students tested have not benefited from the Reading First program. Due to movement of students from resource room setting to more inclusive settings and highly qualified status for special education personnel, South Dakota believes there will be an increase in high school proficiency performance for high school level students in reading.

South Dakota had an increase in the reading AMO in our NCLB accountability workbook for 2006-2007. Since these targets have changed, fewer students may have scored in the proficient category in reading. The percentage increased by 6% at the high school level which may account for the decline in proficiency scores from the previous year.

Math slippage:

South Dakota Department of Education has identified math as an area of concern and has addressed that by implementing a program entitled "South Dakota Counts" to assist districts in improving math proficiency rates. "Counts" is a three year elementary math initiative focused on implementing research based instructional practices to improve student learning in mathematics. Planning began with the formation of workgroups in 2005-2006 and began the first year of implementation in the 2006-2007 school year. There are 150 of the 165 districts currently participating in the K-6 program. Special Education teachers are included as Teacher Leaders who are implementing the program with their districts, focusing primarily on improving content and pedagogy.

SDDOE has implemented pathways to graduation that require Algebra 1 as a course requirement to receive a diploma. The 2005-2006 9th grade class was the first class required to complete the Algebra I requirement, therefore we would expect in the upcoming years to see an increase in the high school math proficiency results, as was seen this year.

Special Education Programs is coordinating with Title Programs to assist districts in making progress in the area of math and reading.

Other South Dakota Activities used to improve performance of all students on Dakota STEP:

South Dakota began implementation of a computerized “Achievement Series” based on content standards. South Dakota teachers created a test bank of questions written from the standards. Districts and teachers will be able to pull test questions for their students once a content standard’s indicator or strand has been covered. South Dakota believes this will assist in the increased performance of all students on the Dakota STEP statewide assessment.

The South Dakota Department of Education has A Curriculum Mapping System for use throughout the state's school districts. It is based on the solid foundation of Dr. Heidi Hayes Jacobs's pioneering work in the field. In the spring of 2004 South Dakota DOE competed and awarded grants to 53 South Dakota schools and school districts for curriculum mapping activities. In the spring of 2005 an additional 43 schools and school districts received a curriculum mapping grant. Special Education Teachers are also included in mapping their curriculum for students with disabilities. Curriculum mapping continues in the districts as a school improvement activity and as new standards are implemented.

2010 Education Goal 1 emphasizes third grade students being proficient in reading and math. Below is the initiative the South Dakota Department of Education will be working on to meet Goal 1 and assist in South Dakota’s targets for this indicator.

Objective 1B: Demonstrate annual growth of 2 percent in reading and 5 percent in math in the primary grades (K-2), as measured by the Dakota STEP.

Initiatives:

- a. Mandatory kindergarten, effective July 1, 2010
- b. Develop training in early literacy and numeracy for K-3 teachers
- c. Create an assessment tool to measure student progress
- d. Provide technical assistance to school districts to ensure that students not demonstrating growth are on a learning plan
- e. Create and distribute a curriculum guide for parents

Discussion of Improvement Activities Complete for 2006-2007:

Through analysis and discussion, the stakeholder workgroup considered the following improvement activities to have made a positive impact on students with disabilities.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Completion and Evaluation
<ul style="list-style-type: none"> Special Education Programs will conduct annual analysis of student participation and proficiency rates as measured by Dakota STEP and Dakota STEP-A. <ul style="list-style-type: none"> This annual analysis will be used to identify problems and target technical assistance to districts 	October 2007	<p>The participation rates for students with disabilities were analyzed to determine if any districts were not meeting the state target for participation. One district was identified; Special Education Programs met with the district and determined that this was an error in grade assignment and determining the appropriate testing year and not an attempt to exclude students from testing. That district has met the state's target for participation for 2006-2007.</p> <p>SEA will continue to conduct participation analysis and will expand to include proficiency rate analysis in the upcoming year.</p>
<ul style="list-style-type: none"> Professional development activities will be provided on aligning instruction to state standards, developing rigorous curriculum to meet those standards. 	Fall 2007	<p>Special Education Programs Education Specialists held trainings across the state in September, October, and November. 15 sessions were held with a total of 750 attendees. These sessions included information on using standards to develop IEP goals and curriculum plans.</p>
<ul style="list-style-type: none"> Federal, state, and district funding will be used for professional development to ensure instructors are highly qualified and trained in 		<p>The state has implemented both a statewide Response to Intervention Initiative and a Positive Behavioral Interventions and Supports Initiative. Both have</p>

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scientifically based researched materials, practices and programs.		<p>professional development that deals with scientifically based research materials, practices and programs.</p> <p>Special Education Programs is also providing funding for Cognitive Coaching throughout the state.</p> <p>Districts are encouraged to utilize early intervention funding and Title I School Improvement funding for professional development to help ensure their teachers are trained in scientifically based research materials, practices and programs.</p>
<ul style="list-style-type: none"> Educational Service Agency (ESA) systems comprised of seven regions throughout the state will focus on providing school improvement in the areas of reading and math. 	2007 and ongoing through 2011	<p>ESAs provide districts with data retreats which focus on improving the results for all children in a district on the statewide assessment annually. This is a time for districts to drill down and see problem areas and come up with objectives to meet the goals.</p> <p>In the spring of 2007 districts were shown a new data drill down tool specifically targeting Special Education data. Trainings were held jointly across the state by SEP and Title I</p>
<ul style="list-style-type: none"> Examine new regulations on 2% or modified assessment. 	October 2007	<p>Special Education Programs applied as a consortium for a federal GSEG grant to examine state data and to determine the state population that would be identified for the modified assessment. The</p>

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		<p>grant will also analyze the feasibility and need for the state to develop a modified assessment.</p> <p>SEP was also received a federal EAG grant to develop and pilot a high school science modified assessment. The grant primarily focuses on the methodology in developing a modified assessment that is technically valid and meets the need of the population.</p>
<ul style="list-style-type: none"> Begin development of modified achievement descriptors if the state elects to develop a modified assessment. 	October 2007	<p>Special Education Programs applied as a consortium for a federal GSEG grant to examine state data and to determine the state population that would be identified for the modified assessment. The grant will also analyze the feasibility and need for the state to develop a modified assessment.</p>
<ul style="list-style-type: none"> Develop a Train the Trainer module for instructional and assessment accommodations. Conduct Train the Trainer workshop on instructional and assessment accommodations. 	<p>Fall 2006</p> <p>Fall 2006 and ongoing</p>	<p>Special Education Programs has held two train the trainer sessions and has 29 certified trainers. These trainers have held 21 training sessions and trained approximately 850 teachers, paraeducators, administrators, test coordinators, and parents.</p>
<ul style="list-style-type: none"> Conduct an accommodation study to verify IEP teams are providing instructional accommodations if they are also providing those accommodation on 	October 2007	<p>The study has been completed and SEP is analyzing the data and implementing policies and procedures to address any deficiencies identified.</p>

statewide assessment.		
<ul style="list-style-type: none"> Examine the analysis tool to identify reoccurring reasons for suspension and expulsions. 	January 2007	Special Education Programs examined the tool and made determinations on data provided by LEAs.
<ul style="list-style-type: none"> Target the areas of concern by providing professional development opportunities and updating technical assistance information to districts. 	Summer 2007 - 2011	Special Education Programs updated documents and created new technical assistance documents that are posted on the website.
<ul style="list-style-type: none"> Form a partnership with Title programs to identify districts with significant discrepancies in both programs. Collaborate to provide Technical Assistance to identified districts. 	Summer 2007- 2011	Special Education Programs presented at Title programs conferences on topics that affect both programs.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Discussion of Revision of Improvement Activity with Justification:

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for FFY 2006
Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

- A. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

Actual Target Data for FFY 2006:

FFY	Measurable and Rigorous Target
2006	A) 1.80% of districts with suspension rates > 5% of their students with disabilities population.

South Dakota's definition of significant discrepancy for Part A means more than 5% of the unduplicated students with disabilities at the district level with 10 or more students included in the numerator and the district child count included in the denominator.

Students with disabilities suspended or expelled at the district

÷

Child Count at the district

Indicator 4: Target was met by South Dakota.

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1 district out of 165 districts in South Dakota had a suspension rate of >5% of their students with disabilities for the 2006-2007 school year. South Dakota has a percent of 0.6% of districts.

$$1 \text{ district}/165 \text{ total districts} = .006 \times 100 = 0.6\%$$

District	Out of School 10 or greater	Total Child Count	Percentage	Met significant discrepancy
District A	28	347	8.07%	Yes

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:

Explanation of Progress for Indicator 4:

In the 2006-2007 school year, South Dakota had one district with significant discrepancies in indicator 4. The same district was also the only district with significant discrepancies in the 2005-2006 school year. On July 25, 2007 SEP met with the special education director from the school district to review their policies and procedures to determine if revisions were needed. The district was found to have policies and procedures in place which were conducive to appropriate school behavior. The policies and procedures relating to suspension and expulsion were determined to be fair and appropriate by the state staff. It was determined that no policy revisions were needed however, during the meeting the problem with the high rates of suspension and expulsion was discussed and the district was open to any TA the state could provide.

During the 2006-2007 school year only one of the district's 11 schools were utilizing the PBIS process. During the 2007-2008 school year five more schools began implementation of PBIS. The schools targeted included those with high rates of suspension and expulsion. Currently the district has conducted three manifestation determinations for the 2007-2008 school year. This number is down considerably from the 20 which had been conducted by this time during the 2006-2007 year. Another school from this district is being encouraged by the special education director and superintendent to apply for the 2008-2009 PBIS cohort. This district has also taken advantage of the States offer to pay for three years of School Wide Information System(SWIS) in order to track behavior trends more efficiently.

Discussion of Improvement Activities Completed for 2006-2007:

Activity	Timeline	Completion and Evaluation
Revise our suspension and expulsion data collection to include race and ethnicity for non-disabled students As data collection changes, SEP	April 2006 and ongoing as needed for data collection reporting requirements	Special Education Programs collected data on race and ethnicity. Upon approval of the new data collection form that was released by Westat in Fall of 2006. Special Education is completing revision on our data

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will update existing data collection to meet reporting requirement.	change.	collection website. Ongoing.
Identify all districts with significant discrepancies and have the districts complete an analysis tool to identify reasons for significant discrepancies.	January 2006 and ongoing annually through 2011	The state has reviewed the district's policies and procedures. District policies and procedures are being implemented. Special Education Programs met with the district and reviewed data with district personnel. It was decided that the district would benefit from implementing PBIS in the buildings where suspension and expulsion is most prevalent The district has added five of its largest schools (now totaling six buildings) to the PBIS cohort. Ongoing.
All districts with significant discrepancies will review their policies, procedures, and practices in the district comprehensive plan.	February 2006 and ongoing annually through 2011	Completed in Summer of 2007 (see below) Ongoing.
Conduct professional development on the use of positive behavioral interventions and supports for all districts showing significant discrepancy.	October 2005 / ongoing through 2011	Presentations on PBIS were given at the 2007 State Special Education Conference, 2007 Coordinated School Health Conference, 2007 No Child Left Behind conference, and the 2007 Teacher Leadership Conference (TLC). In addition to the information given at theses conferences, the first team training was given in July of 2007 to 17 schools who were beginning PBIS implementation. Ongoing.

Districts with significant discrepancies in suspension and expulsion rates for students with disabilities have been identified and are required to analyze the district suspension/expulsion reporting procedures as well as reviewing the district policies, procedures and practices relating to implementation of Individualized Education Plans, procedural safeguards, and the use of positive behavioral interventions. Districts with significant discrepancies will continue to hold a joint meeting with Special Education Programs to discuss district policies, procedures and practices and devise a plan to address the significant discrepancies with follow-up from Special Education Programs (SEP) if needed.

The state is providing ongoing TA to this and all districts in the area of appropriate school behavior to help lower the percentage of students with disabilities being suspended or expelled.

The State of South Dakota is currently offering start up grants for schools participating in the state PBIS initiative. In addition to the grants, the state is also providing the trainer for schools to get started in PBIS and providing continued support for all the school teams through coach's trainings throughout the year. South Dakota is using Don Kincaid from the University of Florida for these trainings. Over the next two years South Dakota will build an instate training network to ensure schools have continued support and are able to find that support locally.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Discussion of revisions with justification:

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;¹
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs removed from regular class greater than 60% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2006-2007	A. 64% B. 7% C. 4.3%

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Actual Target Data for FFY 2006:

Target was met by South Dakota.

Removed from regular class less than 21% of the day;	Removed from regular class greater than 60% of the day	Served in public or private separate schools, residential placements, or homebound or hospital placements.
9916 students removed less than 21% divided by 15104 students ages 6-21 X 100 = 65.6%.	1017 students removed greater than 60% divided by 15104 students ages 6-21 X 100 = 6.7%	476 students in outside placements divided by 15104 students ages 6-21 X 100 = 3.1%.
Actual Target Data For FFY 2006		
65.6%	6.7%	3.1%
Target Data From FFY 2005		
65%	6.5%	3.3%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Discussion of Explanation of Progress that occurred for 2006-2007:

	Removed from regular class less than 21% of the day	Removed from regular class greater than 60% of the day	Served in public or private separate schools, residential placements, or homebound or hospital placements.
Explanation of Progress by SPP/APR stakeholder group and Special Education Programs	South Dakota made progress from 65% to 65.7% for keeping students in the regular education setting in the least restrictive environment.	South Dakota increased from 6.5% to 6.7% as you would expect because of the natural progression from out of district setting to self-contained settings.	South Dakota made progress by going from 3.3% of students to 3.1% in this category. More students are being educated in their local districts. IEP teams continue to only look at out of district placements as a least restrict setting when the team determines that services can't be provided by the local districts.

The SPP/APR workgroup attributes the progress on the activities below to helping South Dakota meet this indicator.

Discussion of Improvement Activities Completed:

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Activity	Timeline	Completion and Evaluation
Identify the 5% of districts that have the lowest regular classroom setting percentage	Summer 2006 and annually through 2011	<p>Special Education Programs reviewed districts with lowest classroom percentages. As districts were trained with the special education data drill down workbook during the Title I – Special Education Workshops they were encouraged to use the LRE part of the workbook for Indicator 5. They had to look at where inclusion is happening (elementary, middle, and high school level); disability categories, males compared to females, etc.</p> <p>Ongoing</p>
Conduct training workshops for special education personnel on how to deal students with behavioral and emotional problems.	Summer 2007/on-going through 2011	<p>17 pilot sites have been created to implement positive behavior interventions and supports. This was an increase of 12 sites from the year before.</p> <p>Trainings were also held at the Title I Conference and Teacher Leadership Conference.</p> <p>Ongoing</p>
Develop and implement a special education endorsement which can be available to all teachers in South Dakota	Spring 2006/ ongoing through 2010	<p>Endorsement was created and approved by the Board of Education on March 27, 2006 under ARSD 24:15:06:41. It went into effect in May 2006. This will allow general education teachers with content knowledge the opportunity to receive a special education endorsement. This is available as a distance learning opportunity through some of our universities so teachers can participate online and through the Dakota Digital Network.</p> <p>Ongoing</p>
Provide training opportunities for special education teachers in identified districts, along with all districts, on the process of the justification of placements and necessity of the Least Restrictive Environment.	Fall and winter 2006 – 2007 and ongoing annually through 2011	<p>As districts are monitored and reviewed for Indicator 5, district personnel are being provided with technical assistance on justification of placement and necessity of Least Restrictive Environment.</p> <p>In September through November 2007, Individual Education Program workshops</p>

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		<p>were presented in 15 different locations across the state. The workshops discussed information from pre-referral to writing IEP to dismissals.</p> <p>Spring 2007 IEP Technical Assistance Guide provides information for special education teachers on completing justification statements for determining a student's least restrictive environment.</p> <p>Ongoing</p>
Train SIMS data person at the district level for Special Education	Spring 2006 and On-going through 2011	<p>Trainings were conducted in Fall of 2007:</p> <ul style="list-style-type: none"> • Infinite exchange workshop had 40 participants • 4 Data Manager and Special Education Director SIMS and Data trainings were held across the state in October. Trainings were conducted by Special Education Programs and the Data Collection Office. • Special Education Data Elements Manual is located on the website. • Training is also available for districts to access through streaming video on the Special Education Programs website. <p>Ongoing</p>
Provide training opportunities for the general classroom educators in identified districts, along with all districts, concerning modifications and accommodations, teaching strategies and disability awareness training.	<p>Fall 2006</p> <p>On-going through 2011</p>	<p>Special Education Programs has held two train the trainer sessions and has 29 certified trainers. These trainers have held 21 training sessions and trained approximately 850 teachers, paraeducators, administrators, test coordinators, and parents in the area of accommodations and modifications.</p> <p>Disability awareness training will be an area that we are looking at for the 2007-2008 school year.</p> <p>Ongoing</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = [(# of preschool children with IEPs who received special education services in settings with typically developing peers) divided by the (total # of preschool children with IEPs)] times 100.

FFY	Measurable and Rigorous Target
(2006)	No baseline, targets, or activities set for FFY 2006

Actual Target Data for FFY 2006:

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:

Explanation of Slippage:

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Discussion of Improvement Activities Completed:

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

Discussion of revisions of activities with justifications:

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. Positive social-emotional skills (including social relationships):

- a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

If a + b + c + d + e does not sum to 100%, explain the difference.

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):

- a. Percent of preschool children who did not improve functioning = $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

C. Use of appropriate behaviors to meet their needs:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

FFY	Measurable and Rigorous Target
(2006)	States are not required to report targets until 2010.

Actual Target Data for (2006):

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)
[If applicable]

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	62.7% of parents with a child receiving special education services will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Actual Target Data for (2006):

Display 8-1: Percent of Parents Who Report that the School Facilitated Their Involvement

	FFY2006
Total number of Parent respondents	3,228
Number who reported school facilitated their involvement	2,430
Percentage who reported school facilitated their involvement	75.3%

Note: Results were weighted by district to take into account differences in response rates.

The target of 62.7% was met.

In FFY2006, the survey was distributed to all parents of children receiving special education services. A total of 17,787 surveys were distributed and 3,335 were returned for a response rate of 18.8%. This response rate represents a significant improvement over the response rate achieved in FFY2005 (8%).

To arrive at the percent of parents who report that the school facilitated their involvement, a “percent of maximum” scoring procedure was used. A “percent of maximum” score based on the five items was calculated for each respondent. Each survey respondent received a percent of

maximum score based on their responses to all 26 items. A respondent who rated their experiences with the school a “6” (Very Strongly Agree) on each of the 26 items received a 100% score; a respondent who rated their experiences with the school a “1” (Very Strongly Disagree) on each of the 26 items received a 0% score. A respondent who rated their experiences with the school a “4” (Agree) on each of the 26 items received a 60% score. (Note: a respondent who **on average** rated their experiences a “4”, e.g., a respondent who rated 8 items a “4,” 9 items a “3” and 9 items a “5,” would also receive a percent of maximum score of 60%.) A parent who has a percent of maximum score of 60% or above was identified as one who reported that the school facilitated his/her involvement. A 60% cut-score is representative of a parent who, on average, agrees with each item; as such, the family member is agreeing that school facilitated their involvement.

Reliability and Validity

A different survey distribution method was used in 2006-2007 than in 2005-2006. In 2005-2006, the survey was mailed to parents during the summer. The mailing method resulted in some surveys not making it to the parents due to incorrect mailing addresses. Furthermore, only 8% of parents completed and returned the survey. In 2006-2007, the survey was given to parents at the annual IEP meeting. This in-person distribution method ensured all parents received the survey; furthermore, school staff members personally encouraged the parents to complete the survey. Thus, the survey distribution method ensured a more representative response than the year before.

In addition, the representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative (1) by geographic region where the child attends school; (2) by size of district where the child attends school; (3) by the race/ethnicity of the child; (4) by the grade level of the child; and (5) by the primary disability of the child. For example, 85% of the parents who returned a survey indicated that their children are white and 76% of special education students are white; 10% of parents who returned a survey indicated that their children are Native American and 18% of special education students are Native American. Another example: 33% of the parents who returned a survey indicated that their children have a speech impairment, and 26% of special education students have a speech impairment; 28% of parents who returned a survey indicated that their children have a specific learning disability, and 37% of special education students have a specific learning disability. Lastly, 15% of the parents who returned a survey are a parent of a Part B 619 child; and 13% of all special education students are in Part B 619.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Explanation of progress or slippage that occurred for FFY 2006:

As indicated in Display 8-2, the percentage of parents who reported that the school facilitated their involvement increased from FFY2005 to FFY2006. Possible reasons for the increase are school districts in South Dakota distributed the surveys in 2006 -2007 instead of the state mailing the surveys as was the case in 2005-2006. Districts were encouraged to analyze their local results and to look for ways to address low-scoring items.

Display 8-2: Percent of Parents Who Report that the School Facilitated Their Involvement, Results Over Time

	FFY2005	FFY2006
Total number of Parent respondents	1,394	3,228
Number who reported school facilitated their involvement	867	2,430
Percentage who reported school facilitated their involvement	62.2%	75.3%

Activities	Timelines	Completion and Evaluation
Districts will send to parents/guardians of students with disabilities the survey with either the state form letter or their own.	Spring 2007 and ongoing	<p>Special Education Programs will provide the survey and the return postage.</p> <p>Districts will send the survey to appropriate parents/guardians for their district.</p> <p>Completed for 2006-2007 and will remain ongoing because of the higher return rate when districts distribute.</p> <p>The Stakeholder group felt this made a big difference in the return rate because districts became more involved in the process.</p>
Disaggregate and analyze district and state data to improve relations and parent involvement.	Fall of 2007 and ongoing	Ongoing activity. Stakeholders will continue to analyze data on an annual basis. The stakeholders were interested in the high return rate of preschool parents compared to parents of children age 6-21. Discussions included ways to increase the returns for parents of high school students.

**Revisions, with Justification, to Proposed Targets / Improvement Activities /
Timelines / Resources for (2006)****Additional Improvement Activities:**

After examination of data and input from the stakeholder group it was determined the following improvement activities should be added to the SPP and APR. The stakeholder group was concerned about the districts that had a low response rate and also wanted to recognize the districts that had a good response rate.

Activities	Timelines	Resources
<p>Special Education Programs will contact each district with a low response rate from the Indicator 8 survey by letter.</p> <p>Districts will need to respond within 30 days of receiving the correspondence to explain what their procedure was for distributing the Indicator 8 survey and how the district will improve the current response rate.</p> <p>Public reporting on the SEP website will include the district's low response rate.</p>	2007-2008 school year and ongoing.	Special Education Program staff will send and collect district response letters and determine if further SEP involvement is needed.
<p>Special Education Programs will recognize districts with a response rate of 50% or more on the Indicator 8 survey.</p> <p>Districts will receive a letter of congratulations and recognition on the SEP website.</p>	2007 – 2008 school year and ongoing.	<p>Special Education Program staff will send recognition letters and post on website.</p> <p>Districts will be honored at state special education conference with certificate.</p>

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See Page 1

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	The percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that are the result of inappropriate identification will be 0%

Actual Target Data for 2006:**Display 9-1: Percent of LEAs with disproportionate representation that is the result of inappropriate identification**

	Under-representation	Over-representation
Total # of LEAs	165	165
# of LEAs flagged for potential disproportionate representation	0	1
% of LEAs flagged for potential disproportionate representation	0.0%	.6%
# of LEAs found to have disproportionate representation due to inappropriate identification	0	1
Percent of LEAs that had disproportionate representation due to inappropriate identification	0.0%	0.6%

The target of 0% was not met. SEP determined that any LEA who had numerical disproportionate representation would have an on-site review of its policies, practices, and procedures to ensure accurate and reliable information. Thus, the district that was identified with disproportionate representation was reviewed. Upon an on-site review of the districts referral, evaluation, and eligibility determinations, it was determined that this LEA had disproportionate representation based on inappropriate identification. South Dakota did not meet the required 0% for Indicator 9 however, .6% was very close and the state will continue to implement activities to ensure the state will meet the required 0%.

South Dakota collects data for Indicator 9 through the state December 1 child count and Fall Enrollment collected on the last Friday in September. A Weighted Risk Ratio based on the identification rate for each racial/ethnic group at each LEA is calculated thus, all data for all racial/ethnic groups in the State are examined. A Weighted Risk Ratio is determined only if there are 10 or more students in the group of interest (based on child count data) and if there are also 10 or more students in the comparison group.

Disproportionate representation is defined as a Weighted Risk Ratio of 2.50 or above (over-representation) or .30 or below (under-representation). Once a ratio is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

Display 9-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification

Level	Weighted Risk Ratio
Over-Representation	2.50 and up
Under-Representation	.30 and below

Display 9-3: Final Risk Ratios that Were Flagged By LEA

LEA	Racial/Ethnic Group	Number of SWD in racial/ethnic group	Number of SWD in other racial/ethnic groups	Weighted RR
1	Native American	30	43	2.62

Valid and Reliable Data:

South Dakota Department of Education has a Student Information Management System (SIMS) that uploads student information into the state level from LEAs. Data verification occurs to ensure that data being uploaded into the state SIMS system is accurate and valid. LEAs are required to validate fall enrollment data in October. Fall enrollment is reviewed by the LEAs superintendents. Special education child count is reviewed by special education directors. As LEAs and state continue to understand the use and need for state data to determine federal requirements, data collected is validated, determined accurate, and reliable.

Once LEAs are numerically flagged, they are required to validate the accuracy and reliability of the data again. Upon initial review of numerical data, LEAs are required to verify the accuracy

of the data. If there is a discrepancy, the LEAs submit corrected data to SEP. The numbers are rechecked and then the weighted risk ratios are calculated again based on the updated data.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Explanation of Progress or Slippage that occurred for FFY 2006:

As indicated in Display 9-4, SEP had .6% of districts that were identified as disproportionate based on inappropriate identification thus, slippage has occurred. Please note that in 2005-2006, different cut-scores were used to flag LEAs for potential disproportionate representation. A cut-score of 2.0 was used for over-representation and SEP did not require that the comparison group had a minimum N of 10. This is the reason for the larger number of LEAs flagged in 2005-2006 than in 2006-2007. However, in 2006-2007, one of the flagged LEAs was deemed as having inappropriate identification procedures.

South Dakota determined that such a low cut-off score in 2005-2006 was resulting in many false positives. In fact, none of the LEAs that were flagged in 2005-2006 had faulty identification policies and procedures; the conclusion of all investigations was that the LEAs were making appropriate identifications. Often the risk ratio between 2.00 - 2.50 was due to small numbers of students in the various racial/ethnic groups. With small numbers of students, the identification rates are often a result of the idiosyncrasies of that particular group of students and not the result of any policies and practices of the LEA. As such, South Dakota changed the cut-scores as indicated above.

Display 9-4: Percent of LEAs with disproportionate representation that is the result of inappropriate identification

	FFY2005	FFY2006
Total # of LEAs	165	165
# of LEAs flagged for potential disproportionate representation – Over-representation	14	1
# of LEAs found to have disproportionate representation due to inappropriate identification – Over-representation	0	1
Percent who had disproportionate representation due to inappropriate identification – Over-representation	0.0%	0.6%
# of LEAs flagged for potential disproportionate representation – Under-representation	0	0
# of LEAs found to have disproportionate representation due to inappropriate identification – Under-representation	0	0
Percent who had disproportionate representation due to inappropriate identification – Under-representation	0.0%	0.0%

Response to OSEP's Concerns:

In South Dakota's June 2007 SPP/APR Response Table, OSEP indicated that the state met indicate that it examined data for all race and ethnicity categories in the State in identifying LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Yes, the SEP, examines data for all race and ethnicity categories in the state. OSEP also indicated that the State had to determine if those LEAs identified as having potential disproportionate representation based on 2005-2006 did in fact have disproportionate representation as a result to inappropriate identification procedures. South Dakota did examine these identified districts based on 2005-2006 data, using a thorough review process of the LEAs referral and eligibility criteria and procedures through self-assessment desk audit. Members of the Disproportionality team met and upon reviewed of the LEAs documentation determine that none were using inappropriate identification procedures.

Discussion of Improvement Activities Completed:

Improvement Activities	Timelines	Completion and Evaluation
Attend National Disproportionality forum in Denver, CO	Winter 2006	Special Education Programs staff attended the forum. Completed
Call together a State level taskforce to define Disproportionality in SD, set targets, and determine the measurement tool to be used.	Summer/Fall 2006	The Taskforce has met numerous times to work on updating Indicators 9 and 10 to address all issues with disproportionality understanding in South Dakota. The group will continue to meet as needed to address issues in disproportionality. Completed
Collect data used to determine which districts are showing numerical Disproportionality	Summer/Fall 2006	Special Education Programs, working with Mountain Plains Regional Resource Center and a statistical consultant flagged districts with numerical Disproportionality. Completed

APR Template – Part B (4)

__South Dakota__
State

Develop an analysis tool for districts to use to determine if the numerical Disproportionality is due to inappropriate identification	Summer/Fall 2006	An analysis tool has been developed and utilized this year to determine inappropriate identification. Completed
Inform districts that have been flagged and provide them with the analysis tool	Fall 2006 and completed annually at the end of school through 2011	Special Education Programs provided to districts that were flagged the analysis tool that would be used for onsite evaluation. Ongoing
Provide TA to districts showing Disproportionality due to inappropriate identification	Fall 2006 and ongoing	Districts send a team to a data drill-down training provided by Mountain Plains Regional Resource Center's certified trainer. These teams will be working with their own district data during this training. Ongoing
Develop a state level Rtl team to coordinate implementation of a state wide Rtl process	Fall 2006 and ongoing	Special Education Programs has 6 Rtl pilot sites and an Rtl workgroup meets regularly to address issues and work on updating of the state plan. Ongoing
Stakeholder group will reconvene to update procedures for determining initial criteria and desk audit.	Spring 2007	The stakeholder group met and updated procedures. The group approved the onsite tool and eliminated the desk audit as a requirement. Completed

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)

After reviewing South Dakota's process from the 2005 baseline data and receipt of the OSEP letter on Disproportionality in April 2007, South Dakota revised the process in identification of districts that have disproportionate representation due to inappropriate identification.

The State Task Force met July 31, 2007 to review the OSEP memo, South Dakota's response letter on the SPP, and determine if modifications must be made to current disproportionate criteria. The following chart reflects the changes:

Original criteria in 2006	Changes to criteria in 2007
Minimum N of 10 in special education race/ethnic group	Minimum N of 10 in special education race/ethnic group and comparison group more reliable and valid data.
Ages 3-21	Ages 6-21
Weight risk ratio at 2.0 and above	Weighted risk ratio using 2.5 or above for over-representation and .30 for under-representation.
Desk audit only	Data verification, desk audit, and on-site monitoring

Original definition	Change in definition
<p>Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.</p> <ul style="list-style-type: none"> • 2.0 risk ratio factor • Minimum N of 10 for overall numbers in special education. 	<p>Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.</p> <ul style="list-style-type: none"> • 2.5 risk ratio factor • Minimum N of 10 for overall numbers in special education.

Since 2005 APR information was year one, South Dakota used a desk audit to review the flagged district's policies, practices, and procedures in identification of students with disabilities in Special Education by certain racial/ethnic group. During the 2006-2007 school year, South Dakota was completing a five year monitoring cycle. Because some of the schools flagged for disproportionate representation were already on the schedule to be on-site reviewed, the review team also monitored these districts for inappropriate identification processes while on-site. After comparing the desk audit to the information collected during the onsite visit, it was determined that South Dakota's desk audit was

APR Template – Part B (4)

__South Dakota__
State

not sufficient to prove inappropriate identification was not occurring. South Dakota changed policy from desk audit only to desk audit, data verification and on-site review for those districts that have been identified numerically to have Disproportionality.

Activity	Timeline	Revision with Justification
Review the completed analysis tools returned by the districts to evaluate district information	Fall 2006 and completed annually at the end of school through 2011	Special Education Programs does not require the analysis tool to be returned due to the policy change to onsite visits for flagged districts. Now the districts use the analysis tool to know what will be used by the state during the onsite visit. This will be removed from the SPP.
Ensure districts found to have Disproportionality due to inappropriate identification for two consecutive years have corrected their identification process within one year of notification	Fall 2007 and ongoing	Special Education Programs and the stakeholder workgroup realized after technical assistance from OSEP and Mt. Plains Regional Resource Center that this activity does not fit into the new procedures and will be taken out of the SPP.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See Page 1

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	The percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories as the result of inappropriate identification will be 0%

Baseline Data for 2006-2007:

Display 10-1: Percent of LEAs with disproportionate representation that is the result of inappropriate identification

	Under-representation	Over-representation
Total # of LEAs	165	165
# of LEAs flagged for potential disproportionate representation	0	2
% of LEAs flagged for potential disproportionate representation	0%	1.2%
# of LEAs found to have disproportionate representation due to inappropriate identification	0	1
Percent of LEAs that had disproportionate representation due to inappropriate identification	0.0%	0.6%

The target of 0% was not met. Special Education Programs determine LEAs who have numerical disproportionate representation would have an on-site review of their policies, practices, and procedures. Upon an on-site review of the district's referral, evaluation, and eligibility determinations, it was determine that one LEA had disproportionate representation based on inappropriate identification. South Dakota did not meet 0%, however the state was very close to at .6% and will continue to implement activities within the state to meet the required 0%.

South Dakota collects data for Indicator 10 through the state December 1 child count and fall enrollment. A Weighted Risk Ratio based on the identification rate for each racial/ethnic group for the six disability categories of Autism, Emotional Disturbance, Cognitive Disability, Other Health Impairment, Specific Learning Disability, and Speech/Language Impairment is calculated at each LEA. A Weighted Risk Ratio is determined only if there are 10 or more students in the group of interest (based on child count data) and if there are also 10 or more students in the comparison group.

Disproportionate representation is defined as a Final Risk Ratio of 2.50 or above (over-representation) or .30 or below (under-representation). Once a ratio is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

Display 10-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification

Level	Final Risk Ratio
Over-Representation	2.50 and above
Under-Representation	.30 and below

Display 10-3: Risk Ratios that Were Flagged By LEA

LEA	Racial/Ethnic Group	Disability	Number of SWD in racial/ethnic group	Number of SWD in other racial/ethnic groups	Weighted RR
1	Native American	SLD	102	737	2.50
2	Native American	SLD	32	77	2.62

Valid and Reliable Data:

South Dakota Department of Education has a Student Information Management System (SIMS) that uploads student information into the state level from LEAs. Data verification occurs to ensure that data being uploaded into the state SIMS system is accurate and valid. LEAs are required to validate fall enrollment data in October. Fall enrollment is reviewed by the LEAs superintendents. Special education child count is reviewed by special education directors. As LEAs and state continue to understand the use and need for state data to determine federal requirements, data collected is validated, determined accurate, and reliable.

Once LEAs are numerically flagged, they are required to validate the accuracy and reliability of the data again. Upon initial review of numerical data, LEAs are required to verify the accuracy of the data. If there is a discrepancy, the LEAs submit corrected data to SEP. The numbers are rechecked and then the weighted risk ratios are calculated again based on the updated data.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Explanation of Progress or Slippage that occurred for FFY 2006:

As indicated in Display 10-4, SEP had .6% of districts that were identified as disproportionate based on inappropriate identification thus, slippage has occurred. Please note that in 2005-2006, different cut-scores were used to flag LEAs for potential disproportionate representation. A cut-score of 2.0 was used for over-representation; SEP also did not ensure the comparison group had a minimum N of 10. This is the reason for the larger number of LEAs flagged in 2005-2006 than in 2006-2007. However, in 2006-2007, one of the flagged LEAs was deemed as having inappropriate identification procedures after on-site monitoring.

South Dakota determined that such a low cut-off score in 2005-2006 was resulting in many false positives. In fact, none of the LEAs that were flagged had faulty identification policies and procedures; the conclusion of all investigations was that the LEAs were making appropriate identifications. Often the risk ratio between 2.00 - 2.50 was due to small numbers of students in the various racial/ethnic groups. With small numbers of students, the identification rates are often a result of the idiosyncrasies of that particular group of students and not the result of any policies and practices of the LEA. As such, South Dakota changed the cut-scores as indicated above

Display 10-4: Percent of LEAs with disproportionate representation that is the result of inappropriate identification

	FFY2005	FFY2006
Total # of LEAs	165	165
# of LEAs flagged for potential disproportionate representation – Over-representation	32	2
# of LEAs found to have disproportionate representation due to inappropriate identification – Over-representation	0	1
Percent who had disproportionate representation due to inappropriate identification – Over-representation	0.0%	0.6%
# of LEAs flagged for potential disproportionate representation – Under-representation	0	2
# of LEAs found to have disproportionate representation due to inappropriate identification – Under-representation	0	0
Percent who had disproportionate representation due to inappropriate identification – Under-representation	0.0%	0.0%

Response to OSEP's Concerns:

APR Template – Part B (4)

__South Dakota__
State

In South Dakota's June 2007 SPP/APR Response Table, OSEP indicated that the state must indicate that it examined data for all race and ethnicity categories in the State in identifying LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. South Dakota, examines data for all race and ethnicity categories in the state and for the six disability categories of Autism, Emotional Disturbance, Cognitive Disability, Other Health Impairment, Specific Learning Disability, and Speech/Language Impairment. OSEP also indicated that the State had to determine if those LEAs identified as having potential disproportionate representation based on 2005-2006 did in fact have disproportionate representation as a result to inappropriate identification procedures. South Dakota did examine these identified districts based on 2005-2006 data, using a thorough review process as described above, and determined that none were using inappropriate identification procedures.

Discussion of Improvement Activities Completed:

Improvement Activities	Timelines	Completion and Evaluation
Attend National Disproportionality forum in Denver, CO	Winter 2006	Special Education Programs staff attended the forum. Completed
Call together a State level taskforce to define Disproportionality in SD, set targets, and determine the measurement tool to be used.	Summer/Fall 2006	The Taskforce has met numerous times to work on updating Indicators 9 and 10 to address all issues with disproportionality understanding in South Dakota. The group will continue to meet as needed to address issues in disproportionality. Completed
Collect data used to determine which districts are showing numerical Disproportionality	Summer/Fall 2006	Special Education Programs, working with Mountain Plains Regional Resource Center and a statistical consultant flagged districts with numerical Disproportionality. Completed
Develop an analysis tool for districts to use to determine if	Summer/Fall 2006	An analysis tool has been developed and utilized this

APR Template – Part B (4)

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State

the numerical Disproportionality is due to inappropriate identification		year to determine inappropriate identification. Completed
Inform districts that have been flagged and provide them with the analysis tool	Fall 2006 and completed annually at the end of school through 2011	Special Education Programs provided to districts that were flagged the analysis tool that would be used for onsite evaluation. Ongoing
Provide TA to districts showing Disproportionality due to inappropriate identification	Fall 2006 and ongoing	Districts send a team to a data drill-down training provided by Mountain Plains Regional Resource Center's certified trainer. These teams will be working with their own district data during this training. Ongoing
Develop a state level Rtl team to coordinate implementation of a state wide Rtl process	Fall 2006 and ongoing	Special Education Programs has 6 Rtl pilot sites and an Rtl workgroup meets regularly to address issues and work on updating of the state plan. Ongoing
Stakeholder group will reconvene to update procedures for determining initial criteria and desk audit.	Spring 2007	The stakeholder group met and updated procedures. The group approved the onsite tool and eliminated the desk audit as a requirement. Completed

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)

After reviewing South Dakota's process from the 2005 baseline data and receipt of the OSEP letter on Disproportionality in April 2007, South Dakota revised the process in identification of districts that have disproportionate representation due to inappropriate identification.

APR Template – Part B (4)

__South Dakota__
State

The State Task Force met July 31, 2007 to review the OSEP memo, South Dakota's response letter on the SPP, and determine if modifications must be made to current disproportionate criteria. The following chart reflects the changes:

Original criteria in 2006	Changes to criteria in 2007
Minimum N of 10 in special education race/ethnic group	Minimum N of 10 in special education race/ethnic group and comparison group more reliable and valid data.
Ages 3-21	Ages 6-21
Weight risk ratio at 2.0 and above	Weighted risk ratio using 2.5 or above for over-representation and .30 for under-representation.
Desk audit only	Data verification, desk audit, and on-site monitoring

Original definition	Change in definition
<p>Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.</p> <ul style="list-style-type: none">• 2.0 risk ratio factor• Minimum N of 10 for overall numbers in special education.	<p>Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.</p> <ul style="list-style-type: none">• 2.5 risk ratio factor• Minimum N of 10 for overall numbers in special education.

Since 2005 APR information was year one, South Dakota used a desk audit to review the flagged district's policies, practices, and procedures in identification of students with disabilities in Special Education by certain racial/ethnic group. During the 2006-2007 school year, South Dakota was completing a five year monitoring cycle. Because some of the schools flagged for disproportionate representation were already on the schedule to be on-site reviewed, the review team also monitored these districts for inappropriate identification processes while on-site. After comparing the desk audit to the information collected during the onsite visit, it was determined that South Dakota's desk audit was not sufficient to prove inappropriate identification was not occurring. South Dakota changed policy from desk audit only to desk audit, data verification and on-site review for those districts that have been identified numerically to have Disproportionality.

APR Template – Part B (4)

__ South Dakota __
State

Improvement Activities	Timelines	Justifications
Review the completed analysis tools returned by the districts to evaluate district information	Fall 2006 and completed annually at the end of school through 2011	Special Education Programs does not require the analysis tool to be returned due to the policy change to onsite visits for flagged districts. Now the districts use the analysis tool to know what will be used by the state during the onsite visit. This will be removed from the SPP.
Ensure districts found to have Disproportionality due to inappropriate identification for two consecutive years have corrected their identification process within one year of notification	Fall 2007 and ongoing	Special Education Programs and the stakeholder workgroup realized after technical assistance from OSEP and Mt. Plains Regional Resource Center that this activity does not fit into the new procedures and will be taken out of the SPP.

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children with parental consent to evaluate, who were evaluated within State established timeline of 25 school days.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations were completed within State established timeline of 25 school days.
- c. # determined eligible whose evaluations were completed within State established timeline of 25 school days.

Account for children included in a but not included in b or c. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b + c) divided by (a)] times 100.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days

Actual Target Data for (2006):

South Dakota did not meet the 100% target however 98.05% is within substantial compliance.

	Number of Children	Number of Children with evaluations completed within timeline found eligible	Number of Children with evaluations completed within timeline found not eligible	Percent of children having initial evaluations completed within timeline
2005-2006	4202	3295	901	99.86%
2006-2007	3999	3010	911	98.05%

	Number of Districts	Number of districts meeting timeline at 100%	Number of districts meeting timeline between 95-100%	Number of districts meeting timeline under 95%
2005-2006	165	162	3	0
2006-2007	165	128	17	20

3,999 children had parental consent to evaluate. South Dakota had 3,921 children whose evaluations were completed within timeline; there were 78 children who did not have evaluations completed within the 25 school days. The reason in 15 cases was due to student issues such as illnesses, suspension, and placement in treatment facilities. During the testing window there were 12 cases with difficulty in scheduling of evaluator and 31 instances of poor scheduling. Parent seeking additional evaluations was the reason documented for exceeding the timeline in 6 instances. Finally, in 14 instances a variety of other reasons resulted in exceeding the timeline. Overall, this gave South Dakota a percentage that met the timeline of 98.05% which was a slight decline from the previous year but still above the 95% state required percentage.

Of the three districts that were not at 100% compliance during the baseline collection year of 2005-2006, one district reached 100% compliance in 2006-2007, the other two districts improved their percentage of compliance but did not reach 100%. One district missed the timeline for one student out of 34 and the other district missed the timeline for two students out of 49, neither case was determined to be a systemic issues, therefore both districts will have a desk audit conducted during the 07-08 school year, address the noncompliance in a corrective action plan and submit periodic progress throughout the 07-08 data collection period. For the other districts that were not at 100% compliance for the 2006-2007, they were notified and have until February 28, 2008 to submit documentation to SEP that policies and procedures had been reviewed and have to submit documentation of compliance by August 1, 2008.

In order to address noncompliance, SEP has outlined the following sanctions that will be applied as appropriate based on the district's noncompliance issues in addition to the regulations regarding annual district determinations:

- Review policies and procedures and submit documentation that this has occurred
- Submit documentation that the district is in compliance in meeting the evaluation timeline within a year of being notified of noncompliance
- SEP may conduct a desk audit of the initial evaluations exceeding the timeline.
 - The district will submit to SEP the prior notices and MDT reports listing dates of evaluations for initial evaluations not meeting the 25 calendar day evaluation timeline
- SEP may conduct onsite monitoring
- Submit bi-monthly Indicator 11 spreadsheets to track progress towards meeting compliance
- Additional requirements based on the specific findings related to systemic issues
- Additional actions determined by SEP, which may include fiscal sanctions

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Special Education Programs and SPP/APR stakeholder group also attributes the completion of the following activities toward meeting the initial evaluations timeline target:

Improvement Activities	Timelines	Completion and Evaluation
Develop a Technical Assistance Guide/Frequently Asked Questions to guide districts in meeting timelines for initial evaluation, which addresses procedures for unusual circumstances	Summer 2007 and October 2007	A workgroup met in the summer of 2007 to develop guides for the districts to review data. These guidelines were included with verification letters in October 2007. Districts were also sent specific procedures for collecting and documenting the timeline for initial evaluations in September 2007. Completed
Districts that do not meet the 100% target will analyze data to determine reasons/trends and solutions to meet and ensure they will meet timeline within one year of notification.	October 2007 and December 2007	District Special Education Directors were sent initial data for verification in October 2007. In December districts which did not meet 100% were notified of the requirements to demonstrate compliance for the 07-08 school-year.
State will analyze state data and district self analysis to determine what resources or technical support needs to be provided.	Winter 2007/2008	SEP has reviewed and approved the plans and procedures for 20 of 37 districts that have been submitted prior to the deadline of February 28, 2008.
Training on the new Eligibility Guide and meeting timelines	Fall 2007	Special Education Programs Education Specialists held trainings across the state in September, October, and November. 15 sessions were held with a total of 750

		<p>attendees.</p> <p>Special Education Programs held three SPP Data analysis training sessions across the state in October for Special Education Directors.</p>
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Explanation of slippage: As stated above, even though South Dakota did not meet 100% compliance, with 98% the state showed substantial compliance. There was some slippage from the previous year. During the 2005-2006 collection year, the state was working on revising the state administrative rules to align with IDEA 2004. The state was proposing adopting the federal 60 day timeline, however much testimony was received in favor of keeping the state adopted timeline in regards to initial evaluations. Because the state had proposed adopting the federal 60 day timeline, during the 2005-2006 baseline collection districts chose to meet either the 60 day federal timeline or the state adopted 25 day timeline in order to be in compliance with both federal and state guidelines. This may have resulted in more students meeting the timeline due to having two criteria which could be met; therefore, in 2006-2007 using only the state adopted timeline there was not as high a percentage of students whose evaluations were within the timeline. Even though the percentage of student initial evaluations completed within the timeline decreased, the state still had a high percentage overall.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)

The following revision was recommended by the stakeholder group for the 2006-2007 APR.

Improvement Activities	Timelines	Justifications
<p>Policy regarding students who have permission for initial evaluation signed and then extreme situation arises that prevents evaluation from being completed, such as cancer, suicide attempt, etc.</p> <p>In the case of an extreme situation the parent and the district can mutually agree to extend the state established timeline based on ARSD 24:05:25:03.</p>	Spring 2007	<p>Due to South Dakota's Administrative Rule relating to the request for an extension to the timeline, the stakeholder group determined that this activity was not necessary.</p> <p>This will be removed from the SPP.</p>

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.

Account for children included in but not included in b, c or d. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b – d)] times 100.

FFY	Measurable and Rigorous Target
(2006)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthday.

Actual Target Data for (2006):**Target was met by South Dakota.**

Monitoring Priority: Effective General Supervision Part B Effective Transition Indicator #12		
	Measurement	2006-2007
A.	# of children who have been served in Part C and referred to Part B for eligibility determination.	609
B.	#of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays	140

C.	# of those found eligible who have an IEP developed and implemented by their third birthdays.	434
D.	# of children for whom parent refusal to provide consent caused delays in evaluation or initial services.	35
Calculation: Percent = [C divided by (a-b-d)] times 100.		
609-140-35 = 434/434 = 1X100 = 100%		

South Dakota's actual data for 2006 is 100%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:

Explanation of Progress:

All data are entered into the Birth to 3 Connections data system by the Birth to 3 Connections data manager. Part B 619 coordinator and Part C staff work collaboratively ensuring all students are accounted for. After a complete analysis of the data, Part B 619 provides all districts with data verification. Districts who do not meet the required timeline are directly contacted and justification is required for students not having an IEP in place by their third birthday.

609 students were served in Part C and referred for Part B eligibility. South Dakota had 574 students whose eligibility was determined by their third birthday; there were 35 students who did not have eligibility determined within the timeline. The reason in 27 cases was due to parent declining services. 8 cases were due to various reasons such as: unable to contact family after many different attempts, parents missing scheduled meetings, and parental request to test at a later date. The range of days beyond the third birthday is not applicable due 100% compliance.

All districts met the target of 100%.

In order to address noncompliance, SEP has outlined the following sanctions that will be applied as appropriate based on the district's noncompliance issues in addition to the regulations regarding annual district determinations:

- Review policies and procedures and submit documentation that this has occurred.
- Submit documentation that the district is in compliance in meeting Indicator 12 within a year of being notified of noncompliance.
- SEP may conduct a desk audit of children referred by Part C prior to age 3, who are found eligible for Part B, but did not have an IEP developed and implemented by their third birthday.
 - The district will submit to SEP the prior notices and MDT reports listing dates of evaluations not meeting the third birthday timeline and the reasons for not meeting the timeline.
- SEP may conduct onsite monitoring.
- Submit bi-monthly Indicator 12 spreadsheets to track progress towards meeting compliance.
- Additional requirements based on the specific findings related to systemic issues.
- Additional actions determined by SEP, which may include fiscal sanctions.

APR Template – Part B (4)

__South Dakota__
State

South Dakota put a system in place for collecting Indicator 12 data showing the reasons for NOT having an IEP in place by the child's third birthday. The 619 coordinator collected this documentation which helped South Dakota to meet the target. An example of the documentation South Dakota collected during 2006-2007 included: documentation that parent's refusal to provide consent caused delays in evaluation or initial services.

Discussion of Improvement Activities Completed:

Activity	Timeline	Completion and evaluations
Part C staff will collect data monthly for all children who are Part B eligible, but who did not have an IEP in place by their third birthday. Part B 619 coordinator will contact districts to find out the reason for the IEP not being in place by the child's third birthday.	January 2006 through 2011	Part B 619 coordinator met with Part C staff to ensure all children were located. 619 coordinator contacted all districts to find out the reasons for child not on an IEP by their third birthday. As the data indicates, this was completed and analysis of data which allowed South Dakota to meet the target.
Part B 619 coordinator will compile district information to determine valid and invalid reasons for the IEP not in place by the child's third birthday.	February 2006 and ongoing through 2011	Ongoing
Continue to develop greater communication between Part B and Part C staff.	2006 and ongoing through 2011	619 coordinator worked with Part C staff on a monthly basis discussing information dealing with Indicator 7 and 12. They collaborated on BDI 2 trainings and updating of forms. Ongoing
Eligibility guide will be updated to include the necessary evaluations for those students transitioning from Part C to Part B	Summer 2007	The Eligibility guide has been updated and is on the SEP website. Completed

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Discussion of revision of activity with justification:

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See Page 1

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(# of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target
2006-2007	100% of students 16 years and older will have a coordinated set of activities.

Actual Target Data for (2006-2007):

$$313/649 = 0.48 \times 100 = 48\%$$

Target was not met by South Dakota.

Number of files that met the criteria	313
Number of files reviewed	649
Percentage	48%

Of the 649 checklists completed, 477 include item-by-item breakdowns. Data from one school district is not available for item-by-item breakdown. Table 13.1 provides raw data and percentages on the problems identified with each of the six Indicator 13 checklist criteria.

APR Template – Part B (4)

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Table 13.1

	1. Measurable Post-Secondary Goals	2. Measurable Annual Goals	3. Services & Activities	4. Agency Invitation	5. Transition Assessment	6. Courses of Study
State Total	68	44	140	86	136	64
State %	14.3%	9.2%	29.4%	18.0%	28.5%	13.4%

Overview of Other Transition Indicators for FFY 2006:

Indicator 1:	Graduation Rate	79.4%
Indicator 2:	Dropout Rate	4.1%
Indicator 14:	Percentages of Exiters Surveyed:	
	Attended Post-Secondary School Only	7%
	Competitively Employed Only	46%
	Post-Secondary School and Competitive Employment	31%
	Post-Secondary School and/or Competitive Employment	84%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

South Dakota's explanation of Slippage that occurred for FFY 2006.

During FFY 2006, South Dakota utilized two different Indicator 13 collection tools, because the state was in the process of updating and implementing its state-suggested IEP form to align with IDEA 2004. The first tool contained elements from both The National Secondary Transition Technical Assistance Center's (NSTTAC) draft checklist and Ed O'Leary's TOPS checklist. This hybrid checklist was used to evaluate transition planning completed on the old IEP forms. South Dakota utilized the NSTTAC checklist form A (approved by OSEP September 13, 2006) for files written with the new state IEP form. Files monitored under NSSTAC Form A had to meet higher standards than those monitored with the NSTTAC/ TOPS hybrid checklist.

During FFY 2005, districts were evaluated based on Ed O'Leary's TOPS criteria, which closely aligns with the transition requirements of IDEA 1997. Each of the TOPS components had to be present, and the file as a whole also had to reflect that it would assist the student in meeting the stated measurable postsecondary goals. Districts were familiar with the TOPS criteria because it had been in place for several years. Part of the slippage can be attributed to the changeover in both the IEP form and the checklist used to measure Indicator 13 compliance.

In FFY 2005, South Dakota's baseline was 63.9% of files meeting the criteria, or 239 files out of 374 files.

In FFY 2006, South Dakota's data indicated that 48% of the files met the criteria. South Dakota did not meet the 100% target, due in part to the expectation that all 6 areas of the NSTTAC checklist had to be completed correctly, and the learning curve for the new checklist.

In FFY 2006, South Dakota's five-year on-site monitoring cycle was completed. In order to continue collection of Indicator 13 data, South Dakota has created a self-assessment monitoring process designed to improve and measure compliance for FFY 2007.

- Districts in FFY 2007 will be trained on the Indicator 13 checklist to better understand the compliance indicator and issues.

- Trainings emphasizing assessment and services were conducted throughout the state in October 2007 by Ed O'Leary.
- Transition Service Liaison Project (TSLP) representatives have assisted and trained individual districts on the Indicator 13 checklist.
- TSLP representatives have provided on-going technical assistance and coaching to the districts piloting the new process and indicate files are showing improved compliance.

South Dakota is anticipating that the new method of data collection, more intensive training, and increased familiarity with the NSTTAC Checklist will move the state towards compliance with Indicator 13.

South Dakota staff participate in NSTTAC conference calls, subscribe to NSTTAC Notes, and also did attend the Connecting the Indicators training in September 2006. South Dakota sent a statewide multi-disciplinary team, including representatives from the Division of Vocational Rehabilitation, the Division of Developmental Disabilities, the Department of Education, Transition Services Liaison staff, and a representative from post-secondary disability services to the Secondary Transition State Planning Institute in May 2007. State transition staff and Special Education Program staff also attended the mid-year meeting in September 2007. South Dakota's team will participate in the 2008 State's Planning Institute also.

Timely Correction of Non-Compliance:

All of the FFY 2005 school districts with noncompliance on Indicator 13 completed corrective actions and were in compliance within the one year timeframe.

After a school has been monitored, the team leader writes a district report, which is sent to Special Education Programs for review. Special Education Programs either approves or disapproves the report; if the report is disapproved it is sent back to the team leaders, corrected, and then approved. Once the report has been approved, a copy is sent to the district and the team leader. This starts the timeline for correction of noncompliance. If necessary, the district and team leader work together to write an Improvement Plan Progress Report (IPPR). Once the Improvement Plan Progress Report is written it is sent to Special Education Programs for approval. After the Improvement Plan Progress Report is approved the district has 4 months to correct noncompliance before the first Improvement Plan Progress Report is due. Any noncompliance issues unmet by the 8 month Improvement Plan Progress Report trigger the Special Education Program regional representative to intensify contacts and to offer additional on-site technical assistance to the district to ensure correction within one year of the written notification. Districts are encouraged to correct noncompliance as soon as possible, since each IPPR is posted on the Special Education Program website for the public to access.

South Dakota will continue to address findings of noncompliance through the self-assessment tool, onsite monitoring, data review and the Improvement Plan Progress Report. For Indicator 13, districts will continue to identify their own noncompliance findings during the self-assessment process. Completed checklists and IEPs will be submitted to Special Education Programs for validation of the district's compliance and noncompliance findings. TSLP staff and Education Specialists will continue to assist the districts in developing their Improvement Plan Progress Report based on any noncompliance issues from the monitoring as well as data reviews completed by Special Education Program staff. The districts will complete all noncompliance monitoring findings within one year from the date of notification.

Improvement Plan Progress activities have included: Additional staff trainings, review of files by Special Education Director and reporting of corrected Individual Education Programs (IEP) for

APR Template – Part B (4)

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State

transition-age students, case studies submitted to the SEP office, attending Summer Institute for Transition, district updates to IEP form, and review and revision of district procedures.

Activities	Timelines	Completion and Evaluation
Provide training on the Indicator 13 transition checklist	Fall 2006 and on-going	Transition Service Liaison staff provided regional training on the Indicator 13 checklist, individual district training and 4 regional training presentations in both 2006 and 2007 were provided by Ed O'Leary. Ongoing
Summer Institute is a conference for teachers of transition age students held annually.	June 2007 and on-going	30 special education teachers participated in the week-long institute which focused on Indicators 1, 2, 13 and 14. Presenters included Ed O'Leary, Dr. James Martin, Dr. Gregory Cooch, Sue Severson and Jon Enderle. Ongoing
Conduct on-site technical assistance through invitation or monitoring	Winter 2007 and on-going	Transition Services Liaison Project staff continue to provide on-site technical assistance to district staff through monitoring or by request. Ongoing
Conduct workshops for teachers and train the trainers through <ul style="list-style-type: none"> South Dakota Council Exceptional Children (SDCEC conference) Workshops Regional trainings 	Fall 2006 and on-going	Transition Services Liaison Project staff, Ed O'Leary and Greg Cooch presented at the CEC conference in March 2007 on indicators 1, 2, 13, and 14. 15 regional IEP workshops were held throughout the state. Transition Services Liaison Project staff provided training on the transition parts of the IEP. Ongoing

- The Transition Services Liaison Project (TSLP), which is jointly funded by SD Special Education Programs and SD Rehabilitation Services, has been directed to focus more of its resources towards helping LEAs to improve compliance on Indicator 13.
- TSLP, in conjunction with Special Education Programs, created a self-assessment monitoring process beginning in FFY 2007. The new method of data collection for Indicator 13 was created because the five-year monitoring cycle has ended, and it is being replaced with an accountability process. Initial training on the Indicator 13 Checklist is followed up with on-site or electronic coaching on writing transition-rich IEPs.
- Special Education Programs conducted a series of Individual Education Programs (IEP) workshops at 15 different locations across the state during fall 2007. These workshops covered pre-referral to IEP to dismissal from special education. TSLP staff presented on the transition-related areas of the IEP.
- TSLP staff conducted four day-long transition workshops featuring Ed O'Leary in October 2007, which emphasized meeting the requirements of Indicator 13 and how Indicators 1, 2, and 14 relate to Indicator 13.
- Starting in the summer of 2007, TSLP staff conducted training to individual district staff piloting the new self-assessment monitoring process. The training focused on using the NSTTAC Indicator 13 checklist to review student IEPs, and how Indicators 1, 2, 13, and 14 relate to each other.
- TSLP staff conducts a week long Summer Institute on Transition in June for the last five years. Participants learn about self-advocacy skills, transition assessments, Ed O'Leary's perspectives on transition services, panel discussions by students with disabilities, post-secondary disability coordinators, adult service agencies, post-school outcomes data, and dropout interventions.
- In addition to the NSTTAC technical assistance materials and materials supplied by Ed O'Leary, South Dakota has developed a Technical Assistance Guide for Transition in the IEP. All of these materials, with plenty of examples, are shared with teachers to help them meet the requirements of Indicator 13.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development: See Page 1

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(# of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

FFY	Measurable and Rigorous Target

Actual Target Data for FFY

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)
[If applicable]

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

FFY	Measurable and Rigorous Target
(2006)	100% of noncompliance completed within one year

Actual Target Data for FFY 2006: 100%

Target was not met by South Dakota. However, South Dakota showed substantial compliance.

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance. 188
- b. # of corrections completed as soon as possible but in no case later than one year from identification. 186

Percent = [(b) divided by (a)] times 100.

$$188/186 \times 100 = 98.94\%$$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

South Dakota improved from 69.62% in the 2005-2006 school year to 98.94% in the 2006-2007 school year. South Dakota has worked very hard the last two years to be in compliance. This improvement to substantial compliance has shown the efforts of both the districts and the state. Previous to the fall of 2005, South Dakota's monitoring timeline did not start until the Improvement Plan Progress Report was approved by Special Education Programs. This timeline was changed for the districts that were monitored in 2005-2006. The 12 month timeline now begins as soon as districts receive the report and letter from Special Education Programs stating the areas of noncompliance. This requires Education Specialists, district special education directors, and Special Education Program staff to work quickly to complete the district's Improvement Plan Progress Report (IPPR) and bring the district up to compliance within 12 months of receiving the letter of identified noncompliance. Special Education Programs implemented this through OSEP's clarifications on what constitutes a year.

Districts work hard to get as many findings of noncompliance completed within the first reporting period of four months as possible. If districts still have not corrected noncompliance by 8 months, Special Education Programs staff visits the district to determine what needs to be done to complete compliance within the last four months. This has worked well for South Dakota this past year.

Special Education Programs spent considerable time informing districts of the timeline, the need for compliance, and the sanctions that can happen if districts are not compliant within the one year timeline.

Explanation of Slippage in the monitoring of districts in 2005-2006 with compliance completion due in 2006-2007: No slippage.

Discussion of Progress for districts monitored in 2005-2006 with noncompliance due to be completed in 2006-2007:

The three districts that were mentioned in the 2006 APR that had not met their one year timeline to close all out of compliance areas did meet compliance in all areas by their scheduled time. The reason the three LEAs were mentioned is because their timeline was not within the SPP/APR data timeline.

Two districts improved their percentage of compliance but did not reach 100%. One district missed the timeline for indicator 11 because one student out of 34 was outside of the initial evaluation timeline and the other district missed the timeline for two students out of 49.

The target for the state is 100%; South Dakota was at 98.94%. The monitoring data we are using is based off of districts that were monitored during the 2005-2006 school year with noncompliance needing to be completed during the 2006-2007 school year.

Compliance findings are sorted in to three categories, Free Appropriate Public Education (FAPE), General Supervision (GS) and Least Restrictive Environment (LRE).

- FAPE includes: evaluation, IEP, graduation
- GS includes: child find, transition, complaints, due process
- LRE includes: LRE

During the 2005-2006 school year, there were 92 findings in FAPE, 96 findings in General Supervision and 0 findings in LRE that were found out of compliance in the school districts. There were 165 LEAs monitored through a variety of procedures and 33 LEAs had on-site monitoring during the 2005-2006 school year which led to 188 findings of noncompliance, all but two of those districts closed their noncompliance findings within one year of the report date for a 98.94% closure rate of findings.

OSEP APR Letter dated February 28, 2006 - Table A South Dakota Part B – Issues Identified in the SPP

South Dakota has reviewed and revised the policies on its general supervision system. South Dakota now identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. In this APR South Dakota has not reached the 100% target due to the fact that the data we are using is based on schools monitored in 2004-2005 with closure based on our previous timeline. South Dakota has demonstrated substantial compliance in meeting the target of 100% of noncompliance completed within one year for the next APR reporting period of February 1, 2008.

Discussion of Improvement Activities Completed:

- Formed a partnership with National Center for Special Education Accountability Monitoring-Completed
- Notify all monitored districts that all noncompliance findings must be completed within one year Letters were sent out with the reports which noted that the non-compliance findings must be corrected within one year.
- Partner with NCSEAM to facilitate analyzing state monitoring data- A presenter came to SD and presented to SEP staff and other contracted staff and analyzed our state procedures. This helped SD recognize where the areas of need were within the state.
- Revise current monitoring system to include all indicators and noncompliance areas identified through other mechanisms (complaints, due process hearings, mediations, etc.) Progress made as the state changed their monitoring system to include all indicators while doing onsite reviews and writing reports.
- Develop new forms for tracking Monitoring data, Improvement Plan Progress Report data, & district correspondence. New forms have been developed for the above mentioned. These forms inform the LEAs of how they need to track data, what corrective actions they are required to do after monitoring is completed at the LEA.
- SEP staff will input Improvement Plan Progress Report dates into their calendar and will complete Improvement Plan Progress Report follow-up as scheduled. All IPPRs have been closed within the one year timeline. Special Education staff developed a system of putting due dates on their calendars to remind them when specific data was due from the LEAs. Two weeks prior to any submission, an email with the required documents is sent to the LEA and a reminder of the upcoming due date.
- Training to districts on revised monitoring system- SPP/APR workshops were held throughout the state. Districts were informed of the implementation of the Indicators into the monitoring system. A Stakeholder's group was formed to advise SEP on new accountability measures. The workgroup continues to meet as SEP revises the monitoring system to implement new procedures that will be used in the LEAs. IEP workshops were held throughout the state districts were reminded of the revised monitoring taking place.

- Update Technical Assistance Manuals such as Surrogate Parent, Extended School Year, IEP, etc. The following Technical Assistance Manuals have been updated: Surrogate Parent, Extended School Year, IEP, Determining Eligibility for Special Education in South Dakota: A Technical Assistance Document, Response to Intervention: The SD Model, Highly Qualified Teacher, Parental Rights (English and Spanish), Graduation Technical Assistance, South Dakota Administrative Rules, Data Calendar. A booklet “What Parents Should Know About Special Education in South Dakota” was published in collaboration with SD Advocacy and SD Parent Connection.
- Provide presentations and training: Trainings that were held throughout the state and sponsored by SEP: Accommodations training, IEP workshops, Transition Forums, Battelle Trainings, Advisory Panel, Trainings, PBIS training, Rtl training, Data Training, and Navigator training. SEP staff also presented at the State Special Education conference,
- Require technical assistance to all districts/agencies that are not close to compliance by their eighth month Improvement Plan Progress Report. SEP staff went onsite to two of the LEAs that did not have the improvement plans closed by eight months. One LEA was able to receive enough technical assistance via phone and email that an onsite visit was not required.
- Look at implementing incentives for districts/agencies that close out at 4 months and 8 months. The stakeholder group is discussing different types on incentives for districts that close findings of noncompliance early. These incentives will be added to the updated monitoring/accountability manual.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006: None

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Discussion of activity revisions with Justification: None

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = $[(1.1(b) + 1.1(c)) \text{ divided by } 1.1] \text{ times } 100.$

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for exceptional circumstances.

Actual Target Data for FFY 2006:

Target was met by South Dakota.

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	4
(1.1) Complaints with reports issued	1
(a) Reports with findings	1
(b) Reports within timeline	1
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	3
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006:

Explanation of Progress:

South Dakota received four signed written complaints for FFY 2006. One complaint was investigated with the report issued within the 60-day timeline. Findings of noncompliance were issued to the district. The district has a corrective action plan which will be completed by the one year timeline. All but one corrective action has been completed. One complaint was closed because a new IEP was completed which addressed the complaint issues. One complaint was dismissed because it was outside of the one year timeline. The final complaint was dismissed because it was not a complaint issue to be investigated through the state complaint process.

South Dakota continues to utilize contract complaint investigators. These investigators have yearly training and many have a special education legal background. Mountain Plains Regional Resource Center (MPRRC) facilitates teleconference calls for State complaint investigators to discuss and share ideas for improving skills and to improve understanding and clarification of special education law, consistent with OSEP interpretation, on matters that may be the subject of a complaint. South Dakota's contract complaint investigators are part of this workgroup.

Special Education Programs, SD Parent Connection: Navigator Program and South Dakota Advocacy Services worked to set up guidelines for referrals between the Navigator Program and South Dakota Advocacy Services. These guidelines will help ensure that parents are receiving the appropriate services depending on their individual needs. SEP continues to work with South Dakota Advocacy Services to keep the lines of communication open by inviting SDAS to various stakeholder and workgroups held within the state.

For the 2006-2007 school year, the South Dakota Navigator Program undertook 101 cases. This is an increase of 71 cases from the previous year.

Discussion of Improvement Activities Completed:

Activity	Timeline	Completion and Evaluation
<p>South Dakota Special Education Programs staff will review all procedures for conducting complaint investigations.</p> <p>Training and technical assistance is provided to ensure complaint investigators follow the procedural requirements under IDEA.</p>	<p>2006 and ongoing through 2011</p>	<p>Complaint investigators participate in the Mountain Plains Regional Resource Centers workgroup.</p> <p>The Complaint Investigators workgroup met five times during the 2006-2007 school year by teleconference. Some of the topics covered included: Jim Walsh – Discipline regulations; State complaint procedures; placement options for dangerous students; what you need to know before you excuse an IEP team member; and more.</p> <p>These teleconferences have been very well received by state staff as well as our contract complaint investigators.</p> <p>Ongoing</p>

APR Template – Part B (4)

___ South Dakota ___
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The complaint investigation handbook will be updated following IDEA 2004 final regulations.	2006 – 2007 school year	<p>The website has been updated to include seven years of complaint logs, an updated Q and A on the complaint process, a sample complaint form, and our new South Dakota Administrative Rules.</p> <p>The handbook was changed to a Question and Answer document because the stakeholder group felt it was easier to understand in that format.</p> <p>Completed</p>
A protocol will be maintained by Special Education Programs to ensure timelines and procedures are followed for complaint investigations.	2006 and ongoing through 2011	<p>The protocol has been created and maintained. According to the data, South Dakota has met the target.</p> <p>Ongoing</p>
The state agency will contract with a regional resource center in the development of a system of complaint investigators who will contract with the state agency to facilitate complaint investigations.	2006 and ongoing through 2011	<p>South Dakota will continue to contract with a regional resource center for complaint investigations. This process has been very effective for South Dakota as viewed in the data.</p> <p>Ongoing</p>
Update and disseminate Special Education Programs website and complaint investigation manual.	2006 and ongoing through 2011	<p>As stated above, the website has been updated, but instead of a manual, the stakeholder workgroup thought it would be more effective to have a Q and A document because it is easy to read and a brochure. The Q and A document is completed.</p> <p>Updates will be ongoing.</p>
Partner with Parent Connections to provide training and materials for parent procedural safeguard workshops.	2007 and ongoing through 2011	<p>South Dakota Parent Connection and South Dakota Advocacy Services completed an excellent parent resource entitled, "What Parents Should Know... About Special Education in South Dakota." SEP assisted in reviewing and commenting on this publication as well as assisting in printing and distribution. This</p>

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		document will be one of the sources for the combined training for parent procedural safeguard workshops. Ongoing
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

Due to input from our stakeholder's group, Special Education Programs is working on a brochure for the complaint process that would be part of a packet on dispute resolution that includes state complaints, due process hearings – resolution sessions, and mediations.	2007-2008	Special Education Programs in conjunction with legal counsel, the office of hearing examiners, consultants and stakeholders.
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Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = $[(3.2(a) + 3.2(b)) \text{ divided by } 3.2] \text{ times } 100$.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	100% of due process hearings will be completed within the 45-day timeline, or have documentation of a timeline extended for exceptional purposes.

Actual Target Data for FFY 2006:**Target was met by South Dakota.**

SECTION C: Hearing requests	
(3) Hearing requests total	2
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	1
(a) Decisions within timeline	0
(b) Decisions within extended timeline	1
(3.3) Resolved without a hearing	1

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	0
(4.1) Resolution sessions	0

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(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

Explanation of Progress:

South Dakota had two due process hearing requests for 2006-2007. One due process hearing was extended by the hearing officer due to requests by both parties. The other due process hearing request was resolved without a hearing between the attorneys' of the two parties.

South Dakota continues to utilize the state office of hearing examiners for due process hearings. The Due Process Hearing Officers continue to be part of the Mountain Plains Regional Resource Center (MPRRC) Due Process Hearing Officer Workgroup and participate in teleconference calls.

The State continues to work very close with parents, advocates, and schools to ensure that everyone understands their rights and to ensure a positive working relationship exist for all parties so there is not a need to seek due process.

Discussion of Improvement Activities Completed:

Activity	Timeline	Completion and Evaluations
The state will monitor the hearing process and timelines to ensure maintenance of 100% adjudication.	2005 and ongoing through 2011	South Dakota has a process in place to ensure timelines are met. South Dakota met this target. Ongoing
Update Administrative Rules for South Dakota concerning due process hearings and resolution sessions when final federal regulations are complete.	Fall 2006 revised to Fall 2007	South Dakota completed the updated Administrative Rules process by the end of June 2007. They were published and updated by Legislative Research Council July 5 th 2007. Completed

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006

Discussion of Revision of Improvement Activity with Justification:

Due to input from our stakeholder's group, Special Education Programs is working on a brochure for due process hearings, including resolution sessions, that would be part of a packet on dispute resolution that includes state complaints, due process hearings – resolution sessions, and mediations.	2007-2008	Special Education Programs in conjunction with legal counsel, the office of hearing examiners, consultants and stakeholders.
<ul style="list-style-type: none">Joint training for Districts and parents on procedural safeguards	Fall 2006 and ongoing through 2011	Special Education Programs staff and Parent Connections provided trainings across the state.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3(B))

Measurement: Percent = (3.1(a) divided by 3.1) times 100.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	No targets need to be set if the number of resolution sessions is less than 10

Actual Target Data for 2006:

No resolution sessions were held.

(3.1) Resolution sessions	0
(a) Settlement agreements	0

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):

No activities required if less than 10 resolution sessions.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for (2006)

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for FFY 2006

Overview of the Annual Performance Report Development: See pg. 1

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Target
2006 (2006-2007)	No target necessary when state has less than 10 mediations

Actual Target Data for FFY 2006

SECTION B: Mediation requests	
(2) Mediation requests total	0
(2.1) Mediations <i>[held]</i>	<i>Calculated Value</i>
(a) Mediations <i>[held]</i> related to due process	
(i) Mediation agreements	
(b) Mediations <i>[held]</i> not related to due process	
(i) Mediation agreements	
(2.2) Mediations not held (including pending)	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2006

No activities required if less than 10 mediations.

Explanation of Progress:

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South Dakota Participates in the Mountain Plains Regional Resource Center Mediators workgroup. South Dakota continues to work with South Dakota Parent Connection and South Dakota Advocacy Services to keep lines of communication open within the state.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006.

No revisions have been recommended by the stakeholder workgroup for the 2006-2007 APR.

Part B State Annual Performance Report (APR) for 2006

Overview of the Annual Performance Report Development: See page 1

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data and annual performance reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

FFY	Measurable and Rigorous Target
(2006)	100% of required data reports will be accurate and 100 % will be submitted on time.

Actual Target Data for (2006):

South Dakota did not meet the target of 100%. All federal reports were submitted on time meeting the 100% target.

Part A: Timely submissions – Target was met by South Dakota.

All federal reports were submitted by the required submission date meeting the 100% target.

Part B: Accuracy of data - Target was not met by South Dakota.

Based on the calculation on the attached Indicator 20 self calculating spreadsheet provided by OSEP, SD was at 96.6%.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (2006):**Discussion of Progress and Slippage for 2006:**

Special Education Programs (SEP) continues to have a program specialist to work with the Office of Data Collection data manager to ensure all data requests are accurate and are completed in a timely manner. This position came about due to the data collection concerns that occurred in 2005-2006. In addition, the Data Collections Office underwent reorganization in the summer of 2007 to address increasing data requests related to federal reporting requirements that were surpassing the capacity of the allocated personnel. During this reorganization the data manager assigned to Special Education Programs left the department and a new data manager was hired.

To improve the reliability of the data collected in the State's student management system, South Dakota is working with a group of other states who share the same system to develop consistent data fields and reports that will generate data for federal reports. The vendor has also dedicated personnel to focus on EDEN and other federal reporting requirements.

The Stakeholder group reviewed and analyzed South Dakota's reasons for slippage in the accuracy of for our data submissions. The SEP staff with input from stakeholders determined the following reasons for slippage:

- There has been significant transition in the Data Collections Office personnel assigned to Special Education Programs which results in significant training needs to understand reporting requirements and functioning of the Student Information Management System (SIMS) system.
 - The data manager hired in the fall of 2007 has attended training on the Student Information Management System (SIMS) system and will attend the Part B data manager's conference in the future.
- The previous data manager did not have written procedures in place for completing the data tables utilizing the local district data thus the new data manager did not know what procedures had been previously followed.
 - After reorganization of the Data Collections Office, the new director placed an emphasis on having written procedures for completing the data tables.
- There has been significant turnover of personnel assigned to Special Education Programs in the Data Collections Office.
 - Special Education Programs has assigned a staff person to work directly with the data manager to assist in data collection procedures and getting reliable data from district personnel.
 - The Data Collections Office ensures there are multiple people aware of the reporting requirements and procedures to collect and report Special Education data.
 - Special Education Programs and the Office of Data Collection continue to work together to ensure mechanisms are in place for error free, consistent, valid and reliable data collection from the local districts.
- Training for local districts on the procedures for data collections was developed in 2006 to address a lack of knowledge regarding special education requirements.

Special Education Programs in conjunction with data collections began training district personnel and creating a special education manual to assist for providing a more accurate data collection.

- Special Education Programs compiled a district training module on the SIMS system and Special Education data elements. This training was presented in November 2006. 120 district personnel attended the training. The training was held again in October of 2007, with an added session on analyzing and interpreting SPP data. The training was held in three locations across the state and 167 district data managers and Special Education Directors attended.
- The Office of Data Collection, Infinite Campus, and Special Education Programs provide district personnel with training on the SIMS data system annually at a joint conference.
- SIMS coordinators are being interviewed as part of on-site monitoring to collect information on training needs of local districts.

Special Education Programs has partnered with the National Center for Special Education Accountability Monitoring (NCSEAM). NCSEAM and Mountain Plains Regional Resource Center (MPRRC) met with Special Education Programs for a data and SPP training. Stakeholders were also in attendance. NCSEAM assisted South Dakota in ways to drill down and determine if noncompliance and/or performance below the target is systemic or localized. This partnership has continued and training has consisted of:

- Training on what to look for in data at both the local and state level. How do you drill down?
- Completed Data Sources Table
- Discussed SPP targets and improvement activities
- Discussed how to utilize the OSEP puzzle pieces into our new monitoring system – Including the SPP Indicators

South Dakota continues working to ensure that procedures are in place at both the state and the local level which include:

- Instructions and/or guidance regarding correct data entry and validation of data reports and/process are provided by Special Education Programs and Office of Data Collection staff to LEAs.
 - Districts have a SIMS newsletter outlining the procedures for data collection.
 - The South Dakota Department of Education website keeps updated information available to district staff.
- Data edit reports (on-line and SEA Access reports)
 - Valid data entry (data definitions, cross reference criteria)
 - Reporting reliability following OSEP/Westat flagging criteria.
- Post submission LEA verification and sign off on reported data.
- Post data submission audit of selected districts, based on:
 - Overall change in total numbers of students

- Past data reporting accuracy
- At random selection
- State funding formula review (state formula also utilizes disability counts for funding allocation calculations)
 - It is in the district's best interest to accurately report students. Any monitored misreporting of data may cause districts to return or lessen state funded allocations.

Special Education Programs has not had implications in place for districts relating to late submissions of data, which can delay the timely and accurate reporting of state data.

- Special Education Programs has developed a tracking system for all data submissions required by districts. The timelines of submissions is included as a factor in determining district determinations.

Discussion of Improvement Activities Completed:

Activity	Timeline	Completion and Evaluations
Data manager has created step by step protocol for the collection of child count data along with other data collections and reporting.	February 2006 and updates on-going as data collection changes	Updates were made based on new requirements for 2006-2007 and training was held for districts. Ongoing as needed
All districts are sent data on State Performance Plan/Annual Performance Report to be reviewed and verified to ensure all data reported is accurate for state and district reporting	January 2007 and on-going	This summer a workgroup developed specific guides to help districts effectively analyze and verify data. A training session was also held on Analyzing and Interpreting SPP data in three locations with 167 district personnel in attendance. Ongoing
Training for new data manager hired in the fall of 2007.	Beginning October 2007	The new data manager attended with Infinite Campus on the SIMS system. Completed
Training on data entry for district SIMS coordinators	2006 and ongoing through 2011	A one-day training was provided to SIMS coordinators at three locations across the state in October 2007. The SIMS manual for Special Education Data Reporting was updated. Ongoing

APR Template – Part B (4)

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Special Education Programs will obtain previous, current and future data from data manager; to be stored on a common shared drive. (SPED Profiles)	Spring 2006 and ongoing through 2011	SPED Profiles is put on a shared drive so SEP has access to the district and state data. Ongoing
Create a timeline for all parties involved who collect data; to ensure timely and accurate data collection	Summer 2006 and updated annually through 2011	A timeline has been created and is followed by SEP and district personnel. Ongoing

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006

No revisions were recommended by the stakeholder group for the 2006-2007 APR.